



# The Indian Journal of Political Science

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### EDITORIAL NOTE.

The delay in the publication of the April-June, 1945, Number of the Journal has been due to the necessity of obtaining permission from the authorities to shift the place of publication from Allahabad to Lahore. It is hoped that the July—December Numbers will be published in January, 1946 and the subsequent Numbers at due dates.

20th December, 1945.

J. N. KHOSLA,  
*Managing Editor.*

## MOSLEM POLITICAL THOUGHT SINCE 1858.\*

BY

MR. SACHIN SEN,

*Calcutta.*

The century from the battle of Plassey in 1757 to the Indian Mutiny in 1857 saw the increasing influence of the Company and the withering away of Moslem hegemony. The process was gradual but effective. The Moslem bourgeoisie suffered most during the period. During Moslem rule the Moslem aristocracy monopolised nearly all the advantages.<sup>1</sup> Along with the growing influence of the Company and the introduction of the British system of education Moslems found themselves divested of the privileges of the conquering and ruling race. Moreover, Moslems being the rulers, the Company took care to see that real power passes slowly from Moslem hands to the clutches of Britons. The Company shut the Moslem aristocracy out of the Army, as their exclusion was necessary to the safety of British rule; they deprived Moslems of their monopoly of the lucrative functions in the Administration; Moslem law officers were abolished; the Police and the Courts of Law went out of Moslem hands; Resumption proceedings struck at the Moslem foundations which maintained the educational system of Moslems. The declaration of the Charter Act of 1833 that no native of India should by reason only of his religion, place of birth, descent or any of them be disabled from holding any place, office or employment under the Company was galling to Moslems. There was another side of the picture. Moslems held aloof from the British system of education. By the Resolution of March 7, 1835, English became the official language of British India, and preferment in services which depended upon knowledge of English dealt a death-blow to the Moslem aristocracy. There was the religious ordinance which made Moslem children spend some years in learning of Koran. In their disdain Moslems held aloof and sank into a people with great traditions and without a career.

\* A paper submitted to the Indian Political Science Conference, Sixth Session Lucknow, December, 1943.

<sup>1</sup> "Three distinct streams of wealth ran principally into the coffers of a noble Mussalman House—Military Command, the collection of the Revenue, and Judicial or Political Employ. These were its legitimate sources of greatness, and besides them there were court services, and a hundred nameless avenues to fortune"—*The Indian Mussalmans* By Dr. W. W. Hunter, P. 159. "Muslim domination in previous centuries had been based on a smaller number of Central Asian immigrants, backed by many million converts, drawn from the lower castes. Neither section found life too easy under the new regime"—*British Rule in India* By E. Thompson and G. T. Garratt, p. 443.

The year 1858 marks the frank assumption of power in India by the British Crown. It was difficult for Moslems to forget that the East India Company obtained their footing in Bengal "as the servants of a Mohammedan Empire", and that they maintained the mask of Moslem rule so long as it was needed. Moslem creed demands "an absolute, a living, and even an intolerant belief" and does not seek to forge a higher and deeper synthesis; Moslem theology teaches the doctrine of religious war against infidels; Moslem Jurisprudence teaches that the civil and religious law of Islam and the civil and religious status of Moslems are inseparably mixed up. Moslems therefore could not take kindly to the establishment of British rule in India; they held aloof from the system inaugurated by the British; the loss of their superior position was keenly felt; their pride and conceit influenced by their creed and theology made them sullen. Unlike the Hindus whose eclectic minds, synthetic attitude and experimental habits made them accommodating to new environments, Moslems could not and did not accept British rule as an inevitable fact in history. The Wahabi movement was the first serious attempt at the extermination of infidel British rule in India.

#### THE WAHABI MOVEMENT.

Sayyid Ahmad, a native of Rai Bareilly, was born in 1786 A. D. He began life as a free-booter, started forth as a preacher after studying sacred law, and ended his career as a saint and protagonist of the doctrines of Wahabism in India. He commenced his apostolic career by asserting the unity of God and the equality of man. He exercised tremendous, magnetic influence amongst men of his own faith. He made a pilgrimage to Mecca and returned to India as a disciple of Abd-ul-Wahab. He died but left his teachings. His disciples kept alive the spirit of holy war against British rule in India. Wahabi-ism consists of seven great doctrines, viz., absolute reliance upon one God, absolute renunciation of any mediatory agent between man and his Maker; the right of private interpretation of the Mohammedan Scriptures; absolute rejection of all the forms, ceremonies and outward observances with which the mediæval and modern Mohammedans have overlaid the pure faith; constant looking for the Prophet who will lead the true believers to victory over the infidels: constant recognition of the obligation to wage war upon all infidels; implicit obedience to the spiritual guide. The Indian Wahabis had claimed for Sayyid Ahmad the title of the great Imam: His death made them rudderless but not despondent. Their missionary zeal made them a force in the country, and the Indian Wahabis laid the greatest emphasis on the doctrine of religious war. Their teachings ran on the following lines :<sup>2</sup>

(a) Holy war is a work of great profit. All material blessings are granted when the dignity of Moslem religion is upheld, and

<sup>2</sup> Taken from the *Indian Mussalmans* by Dr. W. W. Hunter.

Moslem Kings possessing powerful armies become exalted and promulgate and enforce Moslem law in all countries.

(b) War against the Infidel is incumbent on all Moslems.

(c) Join the divine leader and smite the infidel.

(d) He who gives and joins in the fight shall receive seven thousand-fold from God ; he who shall equip a warrior in the cause of God shall obtain a martyr's reward.

(e) The Indian Moslem who would save himself from hell has the single alternative of war against the infidel or flight.

(f) Those who would deter others from holy war or flight are hypocrites.

(g) In a country where the ruling religion is other than Mohammedanism, the religious precepts of Muhammad cannot be enforced.

An inflammatory literature, propaganda from the central organisation, missionaries wandering through the rural areas and traitor settlements—these formed the weapons of the Indian Wahabis in stirring up the revolt against British rule. They appealed to the masses ; they asserted complete equality among themselves ; they owed their strength to the people's support, although rich men from the Moslem community made financial assistance to the Wahabi sect.

In 1857 there was the mutiny of the sepoy, principally Hindu sepoy, but it spread soon for political reasons and deep-seated suspicion and distrust of British rule. Moslems were suffering from a sense of frustration. "The phantom of the Mughal Emperor was abolished, the noble families which had followed his fallen fortunes were ruined or dispersed, and Delhi ceased to be a Muslim city. All over India Muslim civilisation was in evident decay. The Maulvi, the religious leaders of the people, forbade their followers under pain or eternal damnation from acquiring the learning of the Firanghis (Franks, *i. e.*, Europeans). The Muslims were thereby excluded from all the liberal professions." The Moslems who had drunk deep in the Wahabi doctrine of religious war found in the Mutiny an open invitation to take revenge on the British. Many Britons interpreted the Mutiny as the last bid for the refounding of Moslem hegemony, and accordingly the guilt was fastened on Moslems. The Mutiny was suppressed with strong hand, and Moslems found themselves without influence, power and patronage ; they were easily outstripped by those who had acquiesced in British rule and taken advantage of the British system of culture and education.

The British Government did not deal with the Wahabi movement strongly at the initial stage. But they began to apply their power of arresting preachers of sedition without any trial. Under

Regulation III of 1818 the Governor-General was empowered to place individuals under personal restraint as State prisoners "without any immediate view to ulterior proceedings of a judicial nature." It was amended by Act No. XXXIV of 1850 and Act No. III of 1858. Section VI of Act No. III of 1858 provided that "any person arrested as a State prisoner before the passing of this Act or now confined as a State prisoner by the order or under the warrant of the Governor-General in Council or of the Governor in Council of Fort St. George, or of the Governor in Council of Bombay, respectively, shall be deemed to have been lawfully arrested and to be lawfully confined." The Regulation differs from Acts passed for the suspension of the *Habeas Corpus* Act in England in this that it is not a temporary Act.<sup>3</sup> The list of traitors was known to the authorities, and many arrests were made under Regulation III of 1818. The Amballa Trial of 1864, the Patna Trial of 1865, the Maldah Trial of 1870, the Rajmahal Trial of 1870 and the Trial in 1871 showed the extent of conspiracy which called for coercive measures from Government. The Wahabis were active before, during and after the Mutiny.

#### THE ALIGARH MOVEMENT.

The suppression of the Mutiny and strong measures against the Wahabi preachers made the Moslem upper classes nervous and shy of their sympathy with the doctrine of religious war. They procured three distinct sets of legal decisions proclaiming that Moslems were under no religious obligation to wage war against the British Government in India. The three High Priests at Mecca (*viz.* the Mufti of the Hanafi sect, the Mufti of the Shafi sect, and the Mufti of the Maliki sect) pronounced that India had not ceased to be a Dar-ul-Islam as the peculiar observances of Islam prevailed therein and that there was thus no religious obligation to wage war against the British in India. The law doctors of Northern India proclaimed that "there is no Jihad in a country where protection is afforded" and "that condition does not exist here". The Calcutta Mohammedan Society declared that "India is a Dar-ul-Islam" and that "Jihad can by no means be lawfully made in Dar-ul-Islam." If British India became a Dar-ul-Islam or a Dar-ul-Harb, the upper classes of the Moslem community found in the decisions an avenue

<sup>3</sup> Justice Norman in the matter of Ameer Khan and Hashmadad Khan in the Calcutta High Court 1870 (known as the Great Wahabi case) dismissing the application for writs of *Habeas Corpus* stated as follows: "It seems to me that the principles which justify the temporary suspension of the Habeas Corpus Acts in England justify the Indian legislature in entrusting to the Governor-General in Council an exceptional power of placing individuals under personal restraint when, for the security of the British dominions from foreign hostility, and from internal commotion, such a course might appear necessary to the Governor-General in Council. I am therefore of opinion that in enacting Act III of 1858 the Indian Legislature did not exceed its powers."

for escape without perdition to their souls. Weary of the risks of religious fanaticism the upper classes wishfully looked for State patronage. It was at this time that Syed Ahmad Khan appeared as the saviour of the Moslem bourgeoisie. The Wahabi movement was meant for mass revolt; it caught the masses in the web of conspiracy with a view to refounding Moslem domination in British India. The Aligarh movement, inspired by Sir Syed Ahmad Khan, was based on cheerful acceptance of British rule in India, and it was sustained by a spirit of competition with the Hindus in the matter of securing crumbs of favour from the ruling race. Sir Syed was "first and last a religious reformer", but as a liberal and rational thinker he denounced the superstitions and bigotry with which Moslem faith had become encrusted. He collected around him a band of reformers. His modernist views about the Quran drew forth opposition and condemnation from members of his own community, but "owing possibly to the weaker influence of nationalism amongst his community", his work has survived and borne fruits in an effective way for his community. It was a conviction with Sir Syed that "the future of India lay with the British and not with the decrepit Moghal Empire", and he strove hard for Anglo-Mahomedan friendship in the interests of his own community. He tried "to bring about a religious rapprochement between Mohammedans and Christians" and to repeal religious antagonism between the Cross and the Crescent. This was vital for evoking loyalty from Moslems to British rule and regard from the ruling race for Moslem subjects. He thirsted for the extension of State protection and patronage to Moslems so that they might run shoulder to shoulder with Hindus in the race of life. He founded the M. A. O. College at Aligarh "to reconcile oriental learning with western literature and science, to make the Muslims of India worthy and useful subjects of the British Crown, to inspire in them that loyalty which springs not from servile submission to foreign rule, but from a genuine appreciation of the blessings of good government."

Sir Syed found that "there was no prickly plant in those awful times respecting which it was not said that it was planted by Mohammadians", and in order to disabuse British minds of antipathy towards Moslems he tried hard to prove that Moslems were unjustly accused of bringing about the Indian Mutiny, and he advocated that Moslems should not join in any anti-British agitation. The logical corollary was that he advised Moslems not to join the Indian National Congress which was soon involved in racial conflict with Anglo-Indians and Britons owing to the development of new national consciousness. Sir Syed established a British India Association with a view to enabling Indians to come into contact with Parliament for the preservation of their interests; he founded the Patriotic Association as a counterpoise to the Indian



National Congress, he established the upper India Defence Association of the Mahommedans for the purpose of organising Moslems to take their legitimate place in the politics of the country ; he also started the Moslem Educational Congress.

Sir Syed Ahmad Khan advocated the inclusion of Indians in the Legislative Councils in his famous book, "Causes of the Indian Revolt". He strongly held that "far better it would be to the interests of India to speak out openly and honestly their opinions as to the justice or otherwise of the acts of government." But his political thesis can be best gathered from his speech on the C. P. Local Self-Government Bill. His thesis was as follows :—

(a) India is distinguishable from England in socio-political matters.

(b) In India where caste distinctions flourish, where there is no fusion of the various races, where religious distinctions are violent, where education has not made an equal or proportionate progress among all sections of the population, the introduction of the principle of election for representation of various interests would be attended with evils of greater significance than purely economic considerations.

(c) So long as differences of race and creed, and the distinctions of caste form an important element in the socio-political life of India and influence her inhabitants in matters connected with the administration and welfare of the country at large, the system of election, pure and simple, cannot be safely adopted.

(d) In the event of the introduction of the principle of election, pure and simple, the larger community would over-ride the interests of the smaller community.

In fact, Sir Syed's basic ideology was that Moslems must assert and win the race with the main prop of British support, and Maulana Mohammad Ali, in his presidential address of the National Congress at Coconada, remarked that "the attitude of Syed Ahmad Khan was eminently wise" and that "no well-wisher of Mussalmans, nor of India as a whole, could have followed a very different course in leading the Mussalmans." He further stated that "it is my firm belief that his advocacy succeeded mainly because of the soundness of the policy advocated".

It is true that "from 1858 right upto 1898, Syed Ahmad Khan was the pivot around whom Moslem politics moved." His movement left a very favourable impression on the minds of the ruling race. Lord Mayo, Governor-General of India (1869-72) who "withdrew the Wahabi movement from the operations of war into the calm, persistent action of the courts" and stamped out Wahabi disaffection "without a

drop of blood being shed by the Courts"<sup>4</sup> pointed out "the lamentable deficiency in the education of a large mass of what was, not very long ago, the most powerful race in India". He took "the most active and leading part" in the encouragement of education among the Moslem community, although he met with his death at the hands of a Wahabi prisoner in the Andamans. The theory of "counterpoise of natives against natives" became popular with the ruling race, and it was accelerated by the militant tone of the Indian National Congress. The founding of the Moslem League in 1906 and the Deputation headed by H. H. the Aga Khan before Lord Minto in 1906 urging for separate electorate were the product of Sir Syed Ahmad Khan's movement and pro-Muslim affinities of the ruling race. Moslem politics has hardly walked out of the track chalked out by Sir Syed Ahmad Khan.

### SIR MUHAMMAD IQBAL.

Sir Muhammad Iqbal was not a mere bard who sang that "every particle of the dust of his fatherland was a god to him", but he was a thinker, an interpreter of Moslem culture, and an advocate of Islamic creed. The creed of Islam affirms that there is no God but Alla and that Muhammad is the apostle of Alla. The theory of Islam is that Alla as supreme ruler is the only true law-giver, and Muhammad was the agent through whom believers were made aware of divine laws. Sir Muhammad emphasised that "Islam is non-territorial in its character, and its aim is to furnish a model for the final combination of humanity by drawing its adherents from a variety of mutually repellant races, and then transforming this atomic aggregate into a people possessing self-consciousness of its own." He propounded that the nationalist theory of State is un-Islamic as it suggests a dualism which does not exist in Islam. In Islam the spiritual and the temporal are not two distinct domains. As an advocate of the liberalising of Moslem culture he regretted the intense conservatism of the Moslems of India; he even suggested that "the republican form of Government is not only thoroughly consistent with the spirit of Islam, but has also become a necessity in view of the new forces that are set free in the world of Islam". But he deprecated the nationalist theory of the State as practised in modern Turkey. He believed with the nationalist poet Zia who had done a great deal in shaping the present thought of Turkey that "in order to create a really effective unity of Islam, all Moslem countries must first become independent, and then in their totality they should range themselves under one Caliph. Is such a thing possible at the present moment? If not to-day, one must wait."

<sup>4</sup> After a series of Wahabi trials Lord Mayo's Government did not put to death any prisoner, as all were transported as rebels beyonds the seas. The Chief Justice of Bengal, Mr. Norman, was stabbed to death by a Wahabi assassin under the portico of the Town Hall, and the assassin (named Abdulla) died on the scaffold.

He welcomed the liberal movement in modern Islam but he could not get away from his central doctrines:

(a) "Although I am born in India, the light of my eye is from the sacred dust of Bukhara, Kabul and Tabriz."

(b) "The fortress of our community as built by the Mason of Arabia is unique in its character. Its foundation is not laid on "ittihad-i-watan" or national unity."

(c) "Run away from the democratic form, be a slave to a Wise one, for even the brain of two hundred asses does not produce the thought of a man."

Sir Muhammad was in fact the true descendant of Sir Syed Ahmad who also sought to liberalise Moslem religious beliefs and practices and to keep the Moslem community of India distinct from non-Moslems. In his lectures on the "Reconstruction of Religious thought in Islam" he showed acuteness, profundity and scholarship, but religious enthusiasm "knocked out" the philosopher in him.

Sir Muhammad as President of the Moslem League passionately pleaded that the Indian Moslems were entitled to free and full development on the lines of their own culture and traditions in their own home-lands. He liked to see the Punjab, North-West Frontier Province, Sind and Baluchistan amalgamated into a single State. The formation of a consolidated North-West Indian Muslim State (which will be a Pakistan, that is, land of the pure) appeared to him the final destiny of the Moslems of North-West India. Dr. Edward Thompson records the interesting fact that Sir Muhammad was of the opinion that the Pakisthan plan would be disastrous to the British Government, disastrous to the Hindu community, disastrous to the Moslem community, but, to quote his own language, "I am the President of the Moslem League and therefore it is my duty to support it."

#### THE KHILAFAT MOVEMENT.

The Khilafat movement in India arose from the basic creed of Moslems that "the continued existence of the Khilafat as a temporal no less than spiritual institution was the very essence of their faith" and that the Turkish Sultan was the only sovereign who could discharge the responsible duties of protecting the holy places of Islam. The Deputation headed by Dr. Ansari in January 1920 sought to impress the Viceroy with "the necessity for the preservation of the Turkish Empire and of the sovereignty of the Sultan as Khalifa". The Moslem leaders in a statement demanded that "Arabia, as delimited by Muslim authority, and the Holy Places of Islam must remain under the control of the Khalifa". The Khilafat movement in India was an announcement of the faith of Moslems to the effect that they were

Moslems first and that their Islamic creed encouraged pan-Islamism and Moslem theocracy. The Congress Democratic Party under the leadership of Mr. B. G. Tilak supported "the claim of the Muslims for the solution of the Khilafat question according to Muslim dogmas and beliefs and the tenets of the Koran." The Congress under the inspiration of Mr. Gandhi in its Calcutta session in 1920 extended support to the Khilafat movement and stated that "it is the duty of every non-Muslim Indian in every legitimate manner to assist his Muslim brother in his attempt to remove the religious calamity that has overtaken him." The support was extended in the interests of Hindu-Muslim unity, but it released and encouraged the dangerous doctrines of religious war, extra-territorial patriotism and Moslem theocracy. The Wahabi doctrines were freely borrowed by those who controlled the Khilafat movement. "They relied upon dangerous religious propaganda. They openly gloried in hatred of the British Government, and maintained first, that their religion compels them to do certain acts; secondly, that no law which restrains them from doing those acts which their religion compels them to do has any validity; and thirdly, that in answer to the charge of breaking the law of the land it is sufficient to raise and prove the plea that the act which is alleged to be an offence is one which is enjoined by their religion."<sup>6</sup> Moslems embarked upon a plan of flight (Hijrat) to Afghanistan as they felt they could not stay in India under the British after the peace with Turkey—a strategy essentially Islamic. It was the official version that the Khilafat movement had direct bearing on the Moplah outbreak.<sup>7</sup> "With their inevitable skill in fishing in troubled waters, the Moplahs, part Arab Muslims in Malabar, broke into revolt which took the form of forcible conversion of many unfortunate Hindus and massacre."<sup>8</sup> The Khilafat movement lost its force from the decision of the Angora Assembly in 1924 to abolish the office (of Khalifa) and exile the last holder of it.

#### THE PAKISTAN MOVEMENT.

The Khilafat movement was frankly a re-assertion of the doctrines of the Wahabi sect, and it sought to stir up revolt amongst the masses. From political strategy it adopted the extraordinary method of co-operating with the Hindus in the furtherance of its

<sup>6</sup> Observations of the Judge in the trial of the Ali Brothers at Karachi in 1921. The Ali Brothers however gave public assurance that "so long as we are associated with the movement of non-co-operation we shall not, directly or indirectly, advocate violence at present, or in the future, nor create an atmosphere of preparedness for violence."

<sup>7</sup> The Indian National Congress adopted a resolution at its Ahmedabad session that the Moplah disturbance was not due to the non-co-operation or the Khilafat movement.

<sup>8</sup> *Constitutional History of India* By A. B. Keith, p. 277.

mission. It was a temporary reversal of the Aligarh movement which sought to stabilise Anglo-Moslem friendship in the interests of the Moslem bourgeoisie in scorn of any alliance with Hindus. The Pakistan movement registers a return to the methodology of the Aligarh movement and a diplomatic orientation of the Wahabi doctrine of religious war. It is allied to the Aligarh movement in matters of strengthening Anglo-Moslem friendship, non-co-operating with Hindus and safeguarding the interests of the Moslem upper classes through State patronage. It interpreted the Wahabi doctrine of religious war in the sense that the areas where Moslems predominate are parts of a Dar-ul-Islam, and that Jihad is lawful and obligatory against the infidel Hindus seeking to interfere with Moslem observances, faith and interests. According to Mohammedan law Jihad is good for religion and its underlying idea is "to maintain the predominance of power or the balance of power." The logical corollaries of the Pakistan movement in respect of federation of Moslem States and Moslem theocracy are yet to be explained; they are perhaps deferred from strategic considerations.

The Pakistan resolution adopted in the Lahore session (1940) of the All-India Moslem League asked that the areas in which Moslems were numerically in a majority as in the North-Western and Eastern Zones of India should be grouped to constitute independent states in which the constituent units should be autonomous and sovereign and that adequate, effective and mandatory safeguards should be specifically provided in the constitution for minorities in the units and in the regions for the protection of their religious, cultural, economic, political, administrative and other rights and interests in consultation with them. These independent States will assume finally all powers such as defence, external affairs, communications, customs and such other matters as may be necessary for making them fully sovereign. This is the offspring of Mr. M. A. Jinnah's move for the consolidation of Moslems under the banner of the Moslem League. Mr. Jinnah knows that Moslems will not be taken seriously unless they are organised and strong; he believes that it is the British hand that "holds and gives the impression of united India and the unitary government, but in fact Indian nation and central government do not exist". In his presidential address at the Lahore session of the All-India Moslem League in 1940 he propounded that "Mussalmans are a nation according to any definition of a nation and they must have their homelands, their territory and their State", and that they must be entitled to develop to the fullest their spiritual, cultural, economic, social and political life in consonance with their own ideals and according to the genius of their people. He developed his political creed by emphasising that Western democracy was unsuited for India and that Moslem India could not accept any

constitution which would result in a Hindu majority Government. He was therefore opposed to any federal objective for India which must necessarily result in a majority communal rule.

In terms of the Pakistan plan, there would be a few sovereign Moslem States carved out of the contiguous areas where Moslems predominate, but it is not clear if those Moslem States would federate and play their part in the establishment of a vast Moslem republic, as it is well known that "the conception of a State in the Mohammedan system is that of a commonwealth of all the Muslims living as one community under the guidance and direction of a supreme executive head called the Imam or the Calipha." Mr. Jinnah's pan-Islamic attitude is discernible from his demands in the presidential address of the Moslem League in its Lahore Session (1940)—the very same session where he proclaimed the Pakistan plan on the basis of the two-nation theory—that the British Government should meet the demands of the Arabs in Palestine and that Indian troops should not be sent against any Moslem country or any Moslem Power. It is clear that Mr. Jinnah is opposed to the nationalist theory of the State and he discards the belief that "it is in the cauldron of the State that the fusion takes place by which the vigour, the knowledge and the capacity of one portion of mankind may be communicated to another." The Pakistan plan ignores the lesson that "a State may in course of time produce a nationality."

In the Pakistan, Moslem law will prevail which encourages a theocratic State. The Sultanate is based on two facts—fealty of the aristocracy and the gentry and power to enforce orders.<sup>9</sup> It is sufficient in Moslem law if the power of franchise is exercised by the nobility, the gentry and the learned on behalf of the Moslem masses. In Muhammadan Jurisprudence law is personal in its application to Moslems, and legislative powers belong to the decrees and orders of the Court presided over by Qadis. In a country which is a Dar-ul-Islam, non-Moslems can live in a state of submission and dependence. All this is perhaps implicit in the Pakistan plan, unless the Moslem League is prepared to accept an unalterable constitution framed by the British Parliament. "It is the political tradition of extra-territorial allegiance based upon community of faith that we have to fall back upon in our analysis of the Pakistan demand."<sup>10</sup> It is undoubtedly a terrible solution, as Dr. Edward Thompson records in one of his talks with Mr. Jinnah.<sup>11</sup>

<sup>9</sup> *Principles of Muhammadan Jurisprudence*, By Sir Abdur Rahim, Chapter XI.

<sup>10</sup> *Modern Indian Culture*, By Prof. D. P. Mukherjee, p. 71. Prof. Mukherjee minimises religious traditions in the make-up of the Pakistan demand, but he cannot ignore that "Pakistan may develop conceptual traditions which may eventually be distinctively Islamic."

<sup>11</sup> *Enlist India for Freedom* By Dr. Edward Thompson, p. 52,

"Two nations, Mr. Jinnah ! confronting each other in every province? every town ? every village ?

"Two nations. - Confronting each other in every province. Every town. Every village. That is the only solution".

"That is a very terrible solution, Mr. Jinnah."

"It is a terrible solution. But it is only one."

It is however to be noted that Mr. Jinnah's political doctrines of to-day involve a complete break with his earlier teachings, and this metamorphosis, it is said, is all for the ascendancy of the Indian National Congress in the arena of Indian politics. That analysis is outside the scope of the present paper.

#### CONCLUSION.

The Wahabi movement started by Sayyad Ahmad, the Aligarh movement inspired by Sir Syed Ahmad Khan, and the Pan-Islamic movement whetted by the philosophy of Sir Muhammad Iqbal form the ideological background of the present-day Indian Moslems. The movement for separate electorate was the direct result of the Aligarh movement; the Khilafat movement in India sprang from the concept of a Moslem theocracy under one Caliph; the Pakistan movement of Mr. Jinnah is a reaction of the Moslem bourgeoisie against Indian nationalism seeking the transference of power from Whitehall to Delhi. Moslem Political thought in India is not Indian; it is leaning on Islamic creed and theory, and those who have influenced the political ideology of Indian Moslems are more religious reformers and philosophers than political thinkers. To miss this cardinal point is to misunderstand Moslem political thought in India.

### THEOCRACY IN MODERN POLITICS

#### (A NEW POLITICAL TESTAMENT)

BY

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Maulana Mohammad Ali, better known to us as a first-rate journalist, a great and fearless leader, a brilliant politician, a good speaker, and an eminent writer had inherent qualities of a profound thinker. We will fail to do justice to his great intellect if we consider him to be merely a political rebel. He was much more than that. He devoted his brilliant intellect to the service of his country, religion and humanity. He guided the struggle for the emancipation of his country, and fell fighting for it in a foreign but a free country,

away, far away, from his beloved country men. It will not be out of place to repeat the oft-quoted words of a prominent English publicist, "he possessed the heart of Napoleon, the tongue of Burke and the pen of Macaulay."

The kingdom of God on earth or Theocracy was his favourite theme. In the solitude of prison life he decided to write a book with the title 'Islam' ; 'the kingdom of God'. It was to be an exposition of Islam in its true perspective. Far from approaching its completion, he could write only a part of it. In the middle of his overwhelming engagements in the day-to-day events and political turmoils in the country, he could find no time to finish it. Had it been completed it would have a real contribution to political philosophy.

Mr. Afzal Iqbal, M. A., of Lahore found the unfinished first volume in the Jamia Millia Library and took pains in editing the notes by dividing it into several chapters, adding footnotes and filling the occasional gaps. As it was of an auto-biographical nature and was incomplete, the editor changed its name to "*My Life: A Fragment.*"

From this fragmentary work we can get only glimpses of the Maulana's exposition of the principles of theocracy.

It was only when he was interned at Chhindwara that he got the opportunity of studying the Quran thoroughly. He starts by saying that he is writing as a man-in-the-street for the man-in-the-street (p. 1).

Basing his thoughts on the Quran he found a new meaning in life and an entirely new significance in Islam. The main tenets of Islam required a new coherence and created such an effect of unity as he had never realized before. He now realized a single Divine purpose running through the creation from the most ancient days to the very minute of the present existence (p. 95). When this reality dawned upon him, a keen desire arose in him to preach it. The Quran had so deeply inspired him that he wrote to one of his friends that nothing would please him better than to go to Europe and preach to the war maniac from every park, and every street corner about a faith that was meant to silence all the clamours of the warring nations in one unifying peace of Islam (p. 125).

This purpose of creation was the establishment of God's kingdom on earth. Man was a servant of the Lord and was entrusted with one function—the service of his Maker and the fulfilment of his Divine purpose. Nothing stood apart ; nothing was alien ; nothing could exist for itself unrelated to others. The entire universe was one. The unity of the Creator postulated the unity of His creation and all was one vast Theocracy with Allah for its king and man for His earthly vicegerent (p. 95).



*Position and duties of man*—Man made in the image of his Maker was not the sport of chance and slave to destiny; but master of his fate (p. 95). He was responsible for all his actions to God. He has been endowed with a will of his own and he alone of all His creatures was fit to be God's deputy or agent on earth (p. 95). Man himself had either rejected the purpose for which he had been created and surrendered himself to other master than God, or voluntarily surrendered of himself and became the slave of his creator. The key-word of the Quran was 'serve' while man was free to serve whom he would, his inborn inherent faith, the nature with which his Creator had endowed him at his creation told him that he was to serve none but the one God, the Creator, the Sustainer and Developer of all creations and this revelation of his own soul supported by the testimony of all nature was finally confirmed by the teaching of those whom God had given a more acute intuition, the Prophets on whom had descended a yet more impressive revelation than his own. (p. 95-6). He who chooses to serve none but God could not accept any inferior position for himself. He, i. e., rightless slave of Allah became free for ever and the equal of all kings and emperors and ever superior to them if they presumed to resist the Will of God when he had identified his own will with God's. As the vicegerent of God he had the full force of the universe at his back and had the entire omnipotence of his Master, at his beck and call. He could now use it whenever and wherever His Divine purpose necessitated its use though it was no more than a poor weak biped whenever his will asserted itself in any other direction (p. 96).

It is the duty of man to have completest confidence in God. He has a free choice whether to serve God or devil. According to the Quranic injunction لا إكراه في الدين there should be no 'compulsion in religion,' man should serve the only Supreme Ruler—the Omnipotent Creator. Mistrust cannot waver him if he serves God. Fear is the greatest falsehood. Falsehood creeps in when the perfect faith is wanting in him and the conviction that can not be compelled is incomplete. Both fear and falsehood should be totally discarded. Man should spend himself in the cause he has espoused. It can best be illustrated from the life and teachings of Jesus (p. 102-103).

*No Separation between Church and State.* Mohammad Ali did not admit any separation between religion and politics. He strongly objected to the dictum "Render unto Caesar the things which are Caesar's and unto God the things that are God's." He did not agree with Renan's interpretation that by this dictum the power of the State had been limited to the earth only and the mind had been freed or at least the rod of the Roman Omnipotence had been broken for ever and that Jesus in declaring that politics was insignificant had revealed to the world the truth that one's country was not everything

and that man was higher than the citizen. He says that the wrongs done to the conception of virtue itself and the destruction of religion in every form or shape were immense. To say that politics is insignificant is sheer cant and hypocrisy. The justification of the separation between the spiritual and temporal domains by following this dictum would nullify religion and the kingdom of God, which Jesus had come to proclaim. More stress should be laid on the part in which Jesus had demanded the things which were due to God. Though the Caesar could mint money he could not mint man. Man was not the image of Caesar but of his Maker and his soul bore no superscription other than God's. All that we had received from God must be returned to God when he desired. The Great Urdu Poet Ghalib expresses this idea :—

Caesar if he demanded an aught was a mere interloper (p. 112). According to him everything fell under the purview of religion. He studied H. G. Well's conception of the kingdom of God during his internment by reading his books "The soul of a bishop", "God the invisible king", and "Mr. Britling sees through it". He found that the main theme of these books was the diametrical opposite of 'liberalism and civilisation of Renan'. He concluded that the main theme of the life and teachings of Mohammad and Jesus were the same. Both of them wanted the individual to realise himself as a member of the kingdom of God, and identify himself with the great Divine purpose in life; "serve Him day and night, waking and asleep and serve none but him". (p. 116).

*Nature of Theocracy*—He was fully convinced that the theocracy of Islam naturally condemned the narrow prejudices that created nationality and killed humanity for to God the Universal King, there could be no distinction of Arab and Ajam of Aryan and Semitics of Anglo-Saxon and Teuton (p. 125) God was the supreme Ruler of the universe. Islam meant submission to His Will. He had also studied Iqbal's 'Asrar-i-khudi' and had found that the poet Iqbal had preached the same thing *i. e.*, the Theocracy of Islam. To him nationalism was responsible for all horrible bloodshed. He made a vow to go to Europe and entreat the West to try to understand this new message which was the best solvent of race and colour prejudices (p. 135.) It could be easily awakened into a recognition of the kingdom of God into which every man would be a brother and fellow subject of God—the sole sovereign of His Universe (page 135). Could a truer picture of Internationalism or cosmopolitanism be painted?

The main theme of Quran, according to him, is the kingdom of God and the service of man as His agent and vicegerent. Every

thing that he had read strengthened the theocratic character of Islam (p. 154).

Islam had no apostles in the christian sense no church and no church councils to dictate its creed to the believers. It has not even a clergy and its spirit is relentlessly and consistently opposed to such a thing as "experts" in religion. Religion is the province of all the faithful. No such thing like "Theology by Committee" exists in Islam. It demands no adherence to any man's interpretations of God's words except of infallible prophets. It establishes a church State (p. 170).

As the leader of the Khilafat Delegation to London in 1920 he told the then Secretary of State that in the institution of Khilafat were united both the temporal and spiritual functions. Islam is not a set of doctrines and dogmas alone. It is a complete scheme of life, a moral code and a comprehensive social policy. It recognises no lacerating distinction between church and state. Its whole outlook on life is supernational. Allegiance is to be paid to God ("All about Khilafat" by M. H. Abbas—M. Mohammad Ali's interview with the Prime Minister, p. 116). All that a Muslim has is a part of divine trust and is to be spent in serving God and carrying out His purpose (p. 175). Islamic brotherhood is a republic and the most determined advocate of liberty, equality, and fraternity. Although it inculcates the utmost respect for property, it demands from every Muslim the recognition in practice as well as in theory that he is a trustee on behalf of Allah and all that he possesses is for the benefit of all His creatures (p. 258 M. Mohd. Ali's talks with M. Languet in Paris).

Islam is a theocracy and in the language of the Quran "there is no government but God's own—Him alone are we commanded to serve". A Muslim should obey no creature of God who commands him to neglect the duties laid down by God. And it makes no difference whether that person is a Muslim or non-Muslim. He must refuse even a Khalifa if he orders him to disobey God (Comrade Dec. 26, 1925). Islamic religion is one complete indivisible synthesis. Its laws are applied to all mankind irrespective of status, race, creed or religion. They are framed by the Divine Legislator Himself who is the Creator of the Universe. He alone can best understand the human nature and its needs, that He has created. He alone can legislate for all mankind in conformity with its needs. His law is as unalterable as human nature itself (Statement of M. Mohd. Ali on behalf of the Muslim deputation in Nov. 1929).

In a Islamic theocratic state non-Muslims have full right not only to follow but administer their personal laws. Only one sovereignty—the sovereignty of God which is supreme, unconditional, indivisible and inalienable is recognised in this state. The Quran advocates

it in the discourse of the Prophet Joseph (Yusuf) with his fellow-prisoners in 12th chapter of the Quran.

"O my fellow prisoners, are the sundry lives better or the one All-controlling God? Ye serve not beside Him other than the names which ye have named; ye and your father; God hath sent down therefore no warrant. There is no government but God's. He hath commanded that ye serve none but His own self; this is the right religion but the greater heart of man knows it now."

This sovereignty of God was carried on in His name from time to time and among various tribes and nations by the prophets sent down to them. A Muslim can obey only such laws and orders of those in authority which do not involve disobedience to the Commands of God, who in the expressive language of the Quran is the "All-Ruling Ruler."

(The historic trial of Ali brothers, Maulana Hasuain Ahmad Madani, M. Mohd. Ali's statement to the court—p. 4).

A man's first duty is to God (p. 17) and if the king or any other human creature be the head of a republic or any one else demand from men anything he must demand for God and through God. God should be before everything. God before loyalty. God before patriotism—God before father, mother and children (p. 2).

The Khalifa or the head of such a theocratic state is just like an ordinary Muslim. He can demand obedience only to God and through God. Every rule is to be framed in conformity with the principles of the sacred law. Islam provides a code of right conduct for all men. It admits of no separate code for the kings. It condemns that absorption in the joys and sorrow of the world which makes a man lose sight of his duties to the Maker, and forget the rewards of the world to come. He is to be in this world but not of it and can not neglect the duties that he owes to his fellow men.

The authority of the ruler is upheld if he rules as agent of God and uphold His Eternal Rule over all His creatures. The king is to be the shadow of Allah on the earth. It is clear as the noon day, no shadow can exist alone and unrelated to the substance. So long as the shadow goes with that substance and the two do not part company, the king as the shadow of God on earth is entitled to subjects' obedience. But if there is dispute between the people and those in authority, the dispute according to the Quranic injunctions should be referred back to God *i. e.* decided according to Quranic laws (p. 50.) The Khalifa combines the spiritual *cum* temporal powers. He can not claim more nor can he be content with less. He has his duties for which he is answerable to God. If the Muslims see open infidelity they can go to war against him. The binding force and the supremacy that are peculiarly associated

with the commandment of God permit the Muslims to draw their sword against the tyrannical persecutors (p. 64).

Such is an incomplete exposition of Theocracy by the late Maulana Mohammad Ali. It is very unfortunate that such a brilliant and illustrious son of India could not find time to expound it in detail. It would have been a valuable contribution to political philosophy. We get only glimpses and hazy sketches of the idea of theocracy through his writings and speeches.

## FUNDAMENTAL RIGHTS IN A NEW INDIAN CONSTITUTION.

BY

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There is a need for framing a new constitution for India after the war although the prospect that it will be framed is not very promising. Everything depends or seems to depend on the principal elements of India's national life—the Hindus, the racial and the religious minorities, the depressed classes and the Princes—arriving at an agreement as to the method to be adopted for framing a new constitution<sup>1</sup>. None can say at present that such an agreement is in sight. But when it becomes possible and the task of framing a constitution is undertaken the question whether there should be in the constitution a list of fundamental rights included requires consideration. This paper tries to bring together some of the points that are involved in the issue.

One argument in favour of such an inclusion is that in doing so the framers of the Indian constitution will only be following a practice that has almost become universal. For, in almost all the constitutions that have been framed throughout the world during the last two and half centuries—beginning with the constitutions of the thirteen British colonies in America framed after they declared themselves independent of England—a section or a chapter is devoted to an enumeration of fundamental rights. Even in England one finds such bills of rights though they are not all of them found in one document owing to the special features associated with English constitutional development. So nearly universal has this practice become that a writer on Political Science whose books are widely read laid it down that a

<sup>1</sup> Correspondence between His Excellency the Viceroy and Mahatma Gandhi after the latter's release in 1944.

typical written constitution should contain three sets of provisions, the first of them being, "a series of prescriptions setting forth the fundamental civil and political rights of the citizens, and imposing certain limitations on the power of the government, as means of securing the enjoyment of those rights."<sup>2</sup>

Another argument in favour of such a course is that it has been considered necessary and desirable by almost all important political organisations in India in recent times. Public opinion is entirely in its favour and a constitution will gain immensely in strength and prestige if it conforms itself in the main to the state of public opinion. The first serious attempt to frame a constitution for India on modern lines was made by the All-Parties Conference in 1928; and in the constitution framed by it, a prominent place is given to an enumeration of fundamental rights.<sup>3</sup> Among the political organisations in the country the Indian National Congress and the All-India Muslim League have been in favour of such a course from the beginning. It was however during the discussions at the Round Table Conference in 1931-32 and before the Joint Parliamentary Committee in 1953 that the question acquired greater prominence. The Congress, the Hindu Mahasabha, the All-India Muslim Conference and League, the spokesmen of the Indian Christians, the Anglo-Indian and the Domiciled European Community, and of the depressed classes, Indian women's organisations, and Landholder's Associations, the National Trade Union Federation, the Bengal Trade Union Federation and other representatives of labour have all demanded the inclusion of fundamental rights in the Government of India Act.<sup>4</sup> The safeguards demanded on behalf of the British Mercantile community and the public services were more or less of the same character though technically the expression "Fundamental Rights" was not used in that connection. Though in points of detail—especially in respect of the kind of rights to be included there were certain differences of opinion between one organisation and another, all of them were agreed on two points—one being that men have certain fundamental rights and the other being that one of the important ways by which they can secure the enjoyment of these rights is to enumerate them and incorporate them in a written constitution. And after all these two are the principles underlying the whole doctrine of fundamental rights as it was developed in the course of the last three centuries.

From an analysis of the memoranda submitted to the Round Table Conference and the Joint Parliamentary Committee we can divide the rights demanded into four classes. The first class comprises

<sup>2</sup> J. W. Garner : *Political Science and Government* : Page 529.

<sup>3</sup> Report (1928). Pages 101—2.

<sup>4</sup> Appendices to the proceedings of the Minority Committee of the Indian Round Table Conference (Second Session) Pages 1391—1426.

what may be styled the general fundamental rights with which the world was made familiar by the American and the French revolutions of the eighteenth century, rights found in documents like the Virginian Declaration of Rights, the American Declaration of Independence, and the French Declaration of the Rights of Man and of Citizens. The second comprises rights arising out of the existence of caste and communal differences in the country though even here parallels with the countries of Europe are not wanting. The third class comprises a set of economic and social rights claimed by the working men and others belonging to the masses of people as distinguished from the classes—rights which acquired prominence in European countries in consequence of the situation created by the Industrial Revolution and the rise of the Proletariat. The fourth class comprises rights demanded by those who hitherto occupied a position of privilege in the country and who wanted to maintain themselves in that position for as long a time as possible. They are the rights claimed by vested interests.

To understand the significance of the demand for each of these classes of rights and the political and philosophical assumptions underlying them it is necessary to go through the circumstances—however briefly it may be—under which the demand for rights like these originated in European countries and the corresponding circumstances which have in contemporary India led to similar demand. For, Western political ideas and practices have influenced to a considerable extent the course of modern Indian politics. It is well known to all students of political science that the doctrine of fundamental rights which originated and developed in Europe and North America in the seventeenth and the eighteenth centuries was a generalised protest against the evils which the people suffered in consequence of monarchical absolutism based upon the Divine Right Theory of Kingship and its corollary the subject's duty of passive obedience. The arbitrary rule of kings deprived men of their property, of their liberty of person, opinion and worship and supported a hierarchical organisation of society in which the nobility and the clergy enjoyed all privileges while all sorts of onerous duties and obligations fell on the peasants, artisans and members of the middle classes so much so that one would not be making a mistake if one were to say that rulers alone had rights while subjects had nothing else except duties.<sup>5</sup> When burdensome taxation, religious persecution and imprisonment and punishment without any judicial trial became unbearable, political leaders and thinkers engaged themselves in remedies for the wrongs inflicted on them. From one point of view every fundamental right that was claimed by subjects in the course of this struggle with absolutism was merely a remedy for some wrong

<sup>5</sup> Thomas Paine : *Rights of Man*.

<sup>6</sup> J. A. Spender : *The Government of Mankind* : Page 275.

so much so that we are justified in defining a right as a remedy for wrong. It followed from this that there were as many fundamental rights as there were wrongs suffered and the nature of the rights claimed depended upon the nature of the wrongs for which they were a remedy. Depriving a man of his property through heavy taxation or forced loans was a wrong and the remedy for it was the recognition by government of man's fundamental right to property with its corollary that it should not be taken away from him without his consent. Similarly for the wrong involved in religious persecution the remedy lay in government accepting the fundamental right of man to freedom of worship. The same was the case regarding liberty of thought and opinion and liberty of person etc. All these rights were regarded as fundamental in the sense that they alone were the remedies and nothing else could become substitutes for them.

It may also be incidentally noted that those who originally started the doctrine of fundamental rights and those who still believe in it look at human life as purposeful and that it is the duty of man to strive hard to achieve the purpose before him. From this standpoint all the means which an individual should have to enable him to attain his purpose in life constitute his rights. Fundamental rights will then mean the rights which are essential and indispensable. They have to be possessed—man has no choice in the matter—if he is to attain his purpose in life—whether it be happiness as the eighteenth century philosophers thought or the development of personality as later philosophers thought.

One characteristic feature of the seventeenth and the eighteenth centuries in the political history of Europe is that though the vast majority of people suffered in every country in consequence of the arbitrary rule of monarchs it was only the middle classes—the businessmen and merchants—that were enlightened and had what may be called a certain amount of political consciousness. The thinkers of the day also looked at questions from the middle class point of view—so that the fundamental rights claimed by the men of that age were the rights which were most conducive to the happiness and the comfort of middle class people. It is no wonder that the right of property occupied the most prominent place among the rights claimed in those days. A comprehensive list of fundamental rights claimed in that age would include the right to choose rulers; to hold them responsible for their conduct, to resist them in case of misrule, to a share in the making of law, to bear arms, to free expression, to free religious worship, to personal freedom and the right to equality, beside the right to property. These are the rights which will be valued most by the middle classes and the professional classes like lawyers, doctors, teachers, men of letters and the whole class of intelligentsia.



The general fundamental rights demanded by most of the Indian political organisations are of this character. It may be asserted that there is a great deal of similarity between the political conditions obtaining in India at the present day and those that obtained in Europe in the pre-revolutionary age. If according to Professor Mac Iver governments are either despotic or democratic, the system of government established by the British in modern India belongs to the despotic type. In safeguarding its own interests it had necessarily to impose a number of restrictions on the civil liberties of the people—liberty of person, of speech and of Association—and these restrictions have become more and more onerous with the growth of the national movement in the country during the last quarter of a century. There is also the rise in India today of a flourishing middle class and a class of intelligentsia. These have been influenced very much by the ideas of liberty, equality and government based on the consent of the governed. The result is that like their proto-types in the eighteenth and the nineteenth century Europe they are demanding recognition of those fundamental rights on which emphasis was laid by the American and the French revolutionaries.

The demand for the second category of rights is the outcome of caste and communal differences characteristic of India to-day. That caste is the dominant feature of the Indian social system is too well known to need any detailed description. It involves a hierarchical organisation of society based on birth. Members of some castes occupy a privileged position while others suffer numerous disabilities. Under this system the lot of the depressed classes is specially hard. A generation ago many entertained the belief that with the spread of English education, the industrialisation of the country, the impact of the individualistic ideas of the West and the growth of political nationalism, caste would disappear. But certain new tendencies have come into existence which seem to give a fresh lease of life to it. Caste has been taken as a basis for recruitment to the army and the civil services. Preferment is given to certain castes over others in this respect; and castes receiving such preferential treatment are interested in keeping alive the system and the spirit of exclusiveness underlying it. Even those who want to forget their caste are forcibly reminded of it. In the struggle for power ambitious politicians find it to their personal advantage to start caste organisations. A neo-caste feeling has also come into existence as a consequence of which there is the possibility of the members of the so called higher castes of old days being persecuted for the sins of their ancestors. In this atmosphere it is therefore necessary that the worth and therefore the rights of man as man have to be recognised and that no disability should be imposed on any person on the ground that he belongs to this

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<sup>7</sup> Mac Iver ; *The Modern State*.

or that class and that the principle of equality should be accepted as the basis of any future political system in the country. The constitution prepared by the All Parties Conference recognised the need for this outlook and included a number of articles in its declaration of rights especially with a view to remove the disabilities from which the depressed classes have been suffering. We have now come to a stage when it is equally necessary to see that no fresh disabilities are imposed on persons who belong to the other castes.

The next feature of the Indian situation is the existence of a number of religious and racial and linguistic minorities in the country. Of these the Muslims are the most important. They are also the best organised and it is the supreme need to assure them that in any democratic constitution that may be framed for India their cultural and other interests would be safe and that has brought to the forefront the problem of the fundamental rights of minorities. The Sikhs in the Punjab and the Christians throughout the country are some of the other religious minorities. The problem created by their presence is similar to the problem of minorities in some of the states of Central and Eastern Europe. Referring to this aspect the Report of the All-Parties Conference states thus: "Another reason why great importance attaches to a declaration of rights is the unfortunate existence of communal differences in the country. Certain safeguards and guarantees are necessary to create and establish a sense of security among those who look upon each other with distrust and suspicion. We could not better secure the full enjoyment of religious and communal rights to all communities than by including them among the basic principles of the constitution".<sup>8</sup>

This conclusion is not in any way affected by the claim put forward by the Muslim League that the Muslims are a nation and that they are therefore entitled to have sovereign states of their own in North Western and North Eastern India. For even if the Pakistan idea is realised there will be a problem of minorities in Pakistan and in Hindustan—of Hindu, Sikh, Christian and other non-Muslim minorities in the former and of Moslem and other non-Hindu minorities in the latter. The need therefore for safeguarding their cultural interests through a declaration of fundamental rights in a written and rigid constitution will continue to exist. The resolution of the Indian National Congress adopted in 1933 on this subject may be taken as a model for this purpose.

The doctrine of fundamental rights has passed through two stages in the course of its history—the eighteenth century stage and the twentieth century stage. In the second stage it differed in several respects from what it was in the

<sup>8</sup> Report : Page 90.

first. In the first place its content became much wider. Many rights of an economic and social character—the right to work, to unemployment relief, to old age pension, to education, to maternity benefit, to organise labour unions, to strike work etc.—which found no place in the original formula came now to be included in it. All these as can be easily seen are rights *i. e.*, means which will enable the labouring classes—the proletariat—to lead a happy and comfortable life and to become 'the best they are capable of becoming. In the second place while the doctrine called for only negative action from government in the first stage it demanded positive action in the second stage. Both these changes through which the doctrine passed in the later part of the nineteenth century and in the twentieth are the outcome of the industrial revolution, the rise of the proletariat, the growth of political consciousness among them and therefore the need for a fresh enunciation of rights from their point of view. The wrongs they suffered from were primarily the wrongs inflicted upon them by their capitalist employers who through their property acquired more power over their lives than the privileged classes of the nobility and the clergy had over the masses in the pre-revolutionary age. It was these wrongs for which they wanted remedies or rights and only such rights as have been referred to above would guarantee to them those general conditions of life most conducive to their happiness. But rights like these required for their enforcement not a government adhering to a policy of *Laissez Faire* but one which undertook positive legislation, set up a strong administrative machinery and imposed heavy taxation on the rich with the proceeds of which provision could be made for promoting the welfare of the working classes. This also accounts for the greater emphasis placed on the right of association; for the labourers learnt from their experience that collective bargaining through trade unions and collective purchase and sale through cooperative societies were essential to them. This was also responsible for less importance being attached to the right of property and for government exercising through the instrumentality of taxation and various other ways a larger amount of control over its acquisition and use.<sup>9</sup>

Although India today is not so highly industrialised as the countries of Western and Central Europe by about the close of the nineteenth century were there is a general awakening among the masses of the people—labourers in industrial factories, peasants and agricultural workers. This explains the nature of the rights claimed by the National Trade Union Federation, the Bengal Trades Union Federation and by several individuals who put forward the labour point of view. They wanted that the new constitution should guarantee the right to work, the right to provision against old age

<sup>9</sup>. This is best illustrated by the constitution of the German Republic.

and against sickness, the right to a minimum wage, the protection of motherhood and the welfare of children, fair rent and fixity of tenure to agricultural tenants. The Congress resolution referred to above makes provision for the special rights of labour and lays down an economic and social programme.

We now come to the last category of rights—the rights demanded by those who have been in enjoyment of privileges of some sort or other and who are anxious to have those privileges continued. There is nothing corresponding to this in the constitutions of European countries. Professor Baiker observes in some place that, “it seems curious, at any rate *prima facie*, to see the doctrine of natural rights, so long connected with the radicalism of Tom Paine becoming the corner stone of alarmed Conservatism”.<sup>10</sup> Several Landholders’ Associations asked for the special protection of their vested interests in landed property through a Declaration of Fundamental Rights even though it is the general consensus of opinion that in the interests not merely of their tenants but also of the country as a whole the permanent revenue settlement requires a radical change. At all times, behind the demand for fundamental rights there is either a feeling of fear and distrust or a feeling of hope, fear that government might do something that would interfere with their rights, hope that governmental power could be utilised in making their rights effective in practice. It is the former feeling, the fear that when power is transferred from the hands of the British into the hands of the people of the country the new government that might come into office may deprive them of the privileges they hitherto enjoyed that made the landholders use the language of fundamental rights. But a claim like this really amounts to an abuse of the doctrine. Privilege is quite different from right, and it is to destroy privilege and not to uphold it that the doctrine was formulated.

The landholders were not alone in doing this. The British mercantile community domiciled in India claimed special protection for their interests. The members of the public services wanted security not merely for “any rights provided or preserved for them by or under the Act, but also for all their legitimate interests”. The princes also wanted that the rights secured to them under treaties, sanads and engagements should be safeguarded in the new constitution.

A reference may be made at this stage to a feature in the evolution of the doctrine of fundamental rights in the nineteenth century. In its original form it spoke of the rights of man as man and not of his rights as a noble man or a clergyman or working man. This was quite natural because it started as a crusade against the traditional system of privilege. Experience however has shown that in every

<sup>10</sup> *Political thought from 1848 to today* (Home University series) page 127.

society individuals are in different situations and performing different functions and that the needs of some are different from those of others. The needs of children are different from those of the grown-ups ; of women to some extent from those of men ; of workers from those of employers. From this the conclusion has been drawn that while there are certain rights common to all men as men a constitution should also recognise that particular functional groups have particular rights and make provision for them also. This however has nothing to do with the protection of vested interests. A functional organisation of society implies that every individual is rendering a service to the community as a whole and the rights guaranteed to him are the rights which he should enjoy if he is to render his service in the most effective and efficient manner. The special rights demanded by the landholders and some other groups referred to above do not come under this category.

Even though the demand for fundamental rights proceeded from so many organisations the Government of India Act of 1935 does not contain an elaborate list of rights as is found in the constitutions of many of the modern countries. There are only two sections in the Act that have any analogy to a declaration of rights. They are sections 298 and 299. The former says "No subject of His Majesty domiciled in India shall on grounds only of religion, place of birth, descent, colour or any of them be ineligible for office under the Crown in India, or be prohibited on any such grounds from acquiring, holding or disposing of property or carrying on any occupation, trade, business or profession in British India." The latter part of the section is subject however to a proviso which deprives it of much of its utility. Section 299 says : "No person shall be deprived of his property in British India save by authority of law".

While the demand for a comprehensive enumeration of rights has been rejected provision was however made for the safeguarding of the rights of minorities, the British mercantile community and the Public Services. For it is one of the special responsibilities of the Governor-General at the Centre and of the Governors in the Provinces to safeguard the legitimate interests of these sections and groups of people and for that purpose they are empowered to take any kind of action they may consider necessary—the enacting of laws independently of the legislature, the passing of ordinances, the spending of money and the issuing of administrative directions. This indicates how in framing the Act of 1935 the rights of certain special groups were given a significance which was denied to the general rights of all and the special rights of the peasants and the working classes. In the case of the landed interests it was laid down that no bill affecting them should be introduced into the legislature without the prior consent of the Governor.

Those who were responsible for framing the Government of India Act of 1935 assigned the following among other reasons for not incorporating in it a list of fundamental rights of the usual type. (1) As Sir Samuel Hoare put it, "It is so extraordinarily difficult to put in anything sufficiently explicit to make it (a fundamental right) susceptible of a legal decision, and without a legal decision the fundamental right is really only the expression of a pious opinion"<sup>11</sup>. In stating this he was in a way merely echoing the opinion expressed earlier by the Simon Commission in its report which ran as follows: "We are aware that such provisions have been inserted in many constitutions, notably in those of the European states formed after the war. Experience, however, has not shown them to be of any great practical value. Abstract declarations are useless, unless there exists the will and the means to make them effective"<sup>12</sup>. In answer to this objection two points require to be noted. One is that the authors of the Act of 1935 did not consistently adhere to their view that rights which cannot be made explicit should have no place in the constitution. For they have guaranteed in the Act the protection of the "legitimate interests" of the minorities and the public services. The expression "legitimate interests" is very vague and it can be given any interpretation if the authorities empowered to interpret it are so minded. Many of those that gave evidence before the Joint Parliamentary Committee referred to this vagueness<sup>13</sup> and pointed out how necessary it was to define exactly its scope. But the expression was retained. None of the traditional fundamental rights is more vague than this and nothing would have been lost if they had been incorporated. Such a course would have produced a desirable psychological effect upon the masses of people in the country. The second point is that many competent observers have pointed out that provisions incorporated in the post war constitutions of Europe have not only proved effective but have also produced many other desirable results even when they could not be put immediately into effect. The opinion of Professor Zurcher<sup>14</sup> may be quoted in this connection. "Whatever their immediate effects they (Bills of Rights) are now, and will continue to be judicial standards for public action. Their phraseology may be ambiguous and contradictory; it may be reminiscent of political rhetoric rather than of the lawyer's brief; nevertheless escorted in the constitution these rights cease *ipso facto* to be political nostrums, and become judicial norms. These observations are

<sup>11</sup> Minutes of Evidence taken before the Joint Committee on Indian Constitutional Reform (1934) Question 5965.

<sup>12</sup> Report, Volume 2, page 23.

<sup>13</sup> Evidence of Mr. Satchidananda Sinha.

<sup>14</sup> Arnold Johu Zurcher. *The Experiment with Democracy in Central Europe*, pages 231-232.

particularly appropriate in the case of social rights. Hitherto these have been political slogans, the catchphrases of the politician who articulated the aspirations of the disinherited in society. Henceforth they are a part of the fundamental law of the land; they have acquired juristic as well as political significance and the jurist as well as the politician must try to secure their realization in the formal activity of the state." In fact this was the kind of value that was attached to the incorporation of rights in the constitution by its original formulators. The preamble to the French Declaration of the Rights of Man and the writings of Tom Paine make this clear.

(2) A second objection put forward was that even when rights are capable of being made sufficiently explicit their incorporation in the constitution would lead to endless litigation. The Simon Commission observed as follows: "Having regard especially to the ingenuity and persistence with which litigation is carried on in India, we should anticipate that an enactment of the kind would result in the transfer to the law courts of disputes which cannot be conveniently disposed of by such means. It has always to be remembered that, if a law court has jurisdiction to dispose of well-founded claims based on social grounds, it is also bound to listen to far-fetched complaints with no real substance behind them."<sup>15</sup> This again is not quite a valid objection. Litigiousness is not a characteristic vice of the people of India. Moreover from the point of view of litigation it does not matter very much whether the rights claimed by a citizen are guaranteed to him by the ordinary law of the land or by constitutional law so long as they are legally guaranteed. For, that would mean that it is open to citizens to go to courts to establish their rights and litigation cannot be avoided. It is also not correct to say that law courts cannot conveniently dispose of cases arising out of fundamental rights. American courts have accomplished this task quite efficiently and all other courts can do it.

(3) Any declaration of rights would impose an embarrassing restriction on the powers of the legislature and prevent it from undertaking measures of a progressive character of which the country is really in need. This is an objection with which students of the constitution of the United States are quite familiar. But it is not of a formidable character. It is with the very purpose of limiting the powers of government and preventing it from becoming totalitarian and arbitrary that the doctrine was promulgated. Behind the whole doctrine is the theory of limited government, the fundamental rights of man determining as it were the limits to governmental authority. Three points have to be taken into account in consider-

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<sup>15</sup> Op. cit.

ing this objection. In the first place there is need to prevent government from becoming totalitarian which is inevitable if all checks are removed. It will also defeat one of the principle purposes of democracy to maintain the distinction between state and society and leave a wide field for the activities of individuals and voluntary associations.<sup>16</sup> In the second place limited government is not to be identified with weak government. For instance under any federal system the central government is bound to have a limited authority. It does not follow from it that in the sphere allotted to it, it will be weak. As Professor McIlwain has pointed out the distinction between limited government—limited by Bills of Rights—and a weak government weakened by the separation of powers, checks and balances is significant. The former according to him is necessary and desirable while the latter is harmful.<sup>17</sup> In the third place the objection that a declaration of rights will be an obstacle in the way of progressive legislation may hold good to some extent of the doctrine as it was understood in the eighteenth and nineteenth century. Today however the social and economic rights included in the formula demand, as has already been pointed out, positive action from government. No one advocates the old policy of *Laissez Faire* to-day.

(4) It was also pointed out by the critics of the doctrine that the rights of minorities and other groups of people might be better protected through referring to them in a Royal proclamation—as was done by the famous proclamation of Queen Victoria in 1858—and through the instrument of instructions to be issued to the Governor-General and the Provincial Governors. The flaw however in this argument is that royal proclamations and instruments of instruction have no legal validity and the clauses in them cannot be enforced. One need only be reminded that the Queen's proclamation contains the clause : 'It is our further will that, so far as may be, our subjects of whatever race or creed, be freely and impartially admitted to office in our service, the duties of which they may be qualified by their education, ability and integrity duly to discharge.'

Although these were the objections actually put forward against the inclusion of a list of fundamental rights in the Act of 1935 it is not necessary to remind students of politics that the doctrine has met with a great deal of opposition on other grounds also and that even to-day there are many writers who think that it serves no useful purpose in practice and that it results in throwing too much power into the hands of courts and judges constituting them into a third legislative chamber all the more harmful in a democracy as they have no direct touch with public opinion. It is not however proposed to go into all these objections. In spite of them the universal

<sup>16</sup> Mac Iver : *The New Leviathan* page 71.

<sup>17</sup> O. H. Mc Ilwain : *Constitutionalism and the changing world*,



practice that has been followed in other countries and the support which it has obtained from many authoritative writers taken along with the general demand made for it by Indian political organisations lead to the conclusion that in any constitution of a democratic type that may be framed for India a list of fundamental rights—civil, political, economic and social—must find a place. Professor Coupland who has a wide knowledge of the systems of government throughout the British Empire strongly supports this view.<sup>18</sup>

As regards the list of rights to be included the resolution passed in 1933 by the Indian National Congress may be taken as the basis.

Every constitution which forms the actual basis of the system of government in any country represents the balance of political forces that have a hand in shaping it. It is the resultant of the hopes and fears entertained by those who have the strength and the power to make it and the interests which they are anxious to safeguard. In framing the Government of India Act of 1935 the factor that had the greatest political power was the British. They had the princes and some of the minority communities in India as their subsidiary allies in shaping the Act. The purpose behind them was not the introduction of democracy. The doctrine of fundamental rights is essentially a democratic doctrine and it will be a folly to look for its influence or its application in a constitution so remote from democracy as the Government of India Act of 1935. One has to wait for the rise of a new constituent power representative of the masses of people before one can see an Indian constitution based on democratic principles and incorporating in it a list of fundamental rights.

The mere incorporation of rights in a written and rigid constitution does not make them effective in practice unless some machinery is devised by the constitution itself for this purpose. The machinery found most useful for this purpose is judicial review of legislation and administrative action. The United States of America is the supreme example of the successful working of this machinery. Some of the political organisations in India representative especially of the minorities suggested another device mainly for protecting the rights of minority communities *viz*, the granting of a sort of suspensory veto to the representatives of any particular minority community in the legislature against all bills which in their opinion affect their religion or social practices based on their religion.<sup>19</sup> But as Professor Coupland points out a safeguard like this might create a number of practical difficulties, "it would not always be easy to determine whether a bill or resolution did in fact affect communal issues, and to apply the provision to all proceedings would be a

<sup>18</sup> R. Coupland : *The future of India* (1944) pages 49—61.

<sup>19</sup> Appendices to the proceedings of the Minority-Committee—*op. cit.*

formidable brake on the business of the legislature.”<sup>20</sup> This suggestion therefore has not found a place in the Government of India Act of 1935.

But at the same time courts have not been empowered to safeguard the legitimate rights of minorities, the British mercantile community and the public services—the groups of people to whom rights have been granted. The Governor-General at the Centre and the Governors in the provinces have been entrusted with the power and responsibility for safeguarding these rights. This departure from the system of judicial review has been defended on the ground that the Governor-General and the Governors are an impartial set of people and they could be trusted to exercise their powers without any bias or prejudice. This is however not a convincing argument as heads of executive are more under the influence of partisan considerations than judges in courts. This was pointed out by several witnesses who appeared before the Joint Parliamentary Committee. Moreover it should be recognised that in a future constitution on India based on Dominion Status or independence, Governors would become mere constitutional heads carrying out the advice of their cabinets. A situation will then arise when courts will have to be used for making rights effective. The best course therefore is to make the courts the guardians of fundamental rights.

## THE MECHANISM OF MULTI-LINGUAL FEDERATIONS \*

BY

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The present war cannot, for a certainty, be said to have produced a volume of literature on the principles of post-war reconstruction comparable to that of the first world-war. The disappointments of the years after 1919, and the disasters since 1930, have induced a certain scepticism, if not cynicism, in the mood of the present as it contemplates the future of the world after this war. However, there has undoubtedly been some thought bestowed on it. And it would seem that more thought in matters of a political kind has been given to the problem of the reconstruction of international affairs than to

<sup>20</sup> R. Coupland: op. cit.

\* A Paper submitted to the Indian Political Science Conference, Sixth Session Lucknow, December, 1944. To make my meaning clear I have re-written or added a few sentences, and also changed the original title which had spoken of ‘Multi-national’ federations.

that of purely intra-State reconstruction like the improvement of the mechanism of democracy. This cannot be because the latter is thought unimportant. For, even if the downfall of facsism is taken for granted, a mere return to the parliamentary democracy of the past, even of the period between the two world wars, with its constitutional improvements, will certainly not be enough in the light of recent experiences of the breakdown of democracy in many places under the challenge of facsism. But perhaps it is felt that, even if such improvements in democratic machinery are effected, they will be futile without international peace. Hence results this major concern with the reconstruction of international institutions.

The experience of the League of Nations has led to two suggestions in particular for the future. One is that we must frankly recognise the need for regional groupings. The fundamental conception of the League tended to regard this as undesirable, though in actual practice regional groups did gradually evolve like the Latin American and Scandinavian 'blocs'. The League undoubtedly tended to stress the unity of world-society more than current facts warranted. It thought in terms more of the telegraph, the telephone, the aeroplane and the wireless than of the railway and the steamship, still contemporaneous with the former for many important purposes. Realistic tendencies therefore modified idealisations. Thus, in recent years, we see proposals for a federation of Atlantic democracies, like that of Clarence Streit, or one of Western Europe, like that of Professor Jennings. We have also ideas, like those hinted at by Mr. Churchill, of a Council of Europe, a Council of Asia etc. It is not denied that even then a world-wide organisation, of a looser kind, though, will be necessary. But a single universal structure, to the exclusion of smaller ones inside and outside it, is not what is proposed for the future. There is, however, a second aspect also in which the experience of the League has influenced plans for the post-war world. The League was not only a League of all States in the world in intention, but it tended also to be one for all purposes in the world, from the prevention of war to calendar reform. Indeed, a distinction was made between political purposes and others; and, for the latter, autonomous organisations like the I. L. O. were provided in which non-members also could participate. Nevertheless this autonomy seems to have become gradually lessened. The League now appears to have carried too heavy a burden on its shoulders. It is thus that we have proposals like those of Sir Stafford Cripps and Professor Mitrani for independent functional organisations for many purposes, which may not only improve the method of tackling the special problems but may also make the peace-preservation work of the new federations easier. And as for peace-preservation itself, Mr. Curtis would confine the

function of such a federation to the single one of security,<sup>1</sup> going even farther (or less) than Arthur Salter who, even long before the war, had argued that armaments and tariffs were the only urgent problems.<sup>2</sup>

The value and newness of such ideas has, however, not been matched by any significant originality in the proposals for the internal structure of the international units to-be. The latter, where they have been put forward in detail, are almost wholly based on the classical federal pattern. This is clear if we consider the scheme, for example, of Professor Jennings for a Federation of Western Europe.<sup>3</sup> He proposes that the central government shall consist of a titular President, a responsible Cabinet, a bicameral legislature and a Supreme Court. The President will be elected for three years by the federal legislature in joint session. The Cabinet will be of the parliamentary type. As regards the legislature, the lower or Peoples' House will consist of 250 members elected by the people of each State in proportion to its population and provisionally acting as a single constituency. The upper house will consist of about 100 members with weighted representation for the smaller units and elected as they decide, but preferably by their legislatures by P. R. And the Supreme Court will be appointed by the President on the nomination of a Judiciary Commission appointed by the States' House. Such is the constitution of the proposed central government. But two more points should be noted on the scheme as a whole. The provisional list of member-States includes 13 names—Germany, Belgium, Denmark, Eire, Finland, France, Great Britain, Iceland, Luxembourg, the Netherlands, Norway, Sweden and Switzerland. Secondly, the powers of the central government are not intended to be small though indeed somewhat less in economic matters than in classical federation system.

The question that one inevitably asks is as to the actual manner in which such a federation is likely to work. The most important element in the central government will undoubtedly be the Peoples' House. What will be the normal way in which it will function? Here the linguistic problem becomes important; but its importance is surprisingly underestimated in all current discussions. The members of the House come from a dozen or so States speaking eight or nine different languages. Professor Jennings thinks that the language difficulty is substantial, but that it could be worked out in practice. He says that it would not be impossible to allow speeches in any language and to provide simultaneous translation in English, French and German as has been often done at international conferences. He calculates that out of the approximately 200 million people included in

<sup>1</sup> L. Curtis, *Decision*.

<sup>2</sup> *The modern state* ed M. Adams, 1933.

<sup>3</sup> W. I. Jennings, *A Federation for Western Europe*.

the federation, about 175 millions speak English, French or German as their mother-tongue, and secondary education having proceeded far everywhere, large sections of the remainder understand two or three languages. It is doubtful if the 'substantial' language difficulty can really be worked out easily in practice. How can a large assembly of about 250 members work as an effective legislature, with members speaking many different languages and being translated as or alter they speak? This has indeed been done in international conferences. But a legislature is not a conference, and even the Assembly of the League was not a legislature. On the other hand, the Peoples' House of the proposed federation is something more than a legislature. It creates and controls the executive. Even this is not all. The problems are not merely of the internal working of such an assembly. The assembly is elected by the people. Even granting that its members understand two or three languages, (though they may not all speak in them), surely the electorate in the various States, even with secondary education, will know them much less. The problem of the basis of the federal government in popular consent and will assumes here a doubtful aspect. And one has not yet mentioned problems like those of the languages in which the business of the executive or the judiciary will be conducted or all government papers published. The language difficulty was not serious in the case of international conferences and even the League precisely because their powers were small. But in the federation contemplated in this scheme the powers of the centre will be great. The language difficulty in the working of the elaborate structure is bound to be almost insuperable.

It is in this connection that one cannot forget that in the case of federations of the past or the present this language difficulty has been, as a rule, non-existent, or unimportant or solved in certain special ways. Thus in the United States of America, in imperial and republican Germany and in Australia, there has been only one language spoken. In Canada there is a second language; but it is spoken only by one-fourth of the population, and as a language it is even far less important relatively. Switzerland and the Soviet Union are indeed important exceptions. But, in Switzerland, although there are four official languages, German is spoken by 73% of the population, and French, Italian and Romanche only by 20, 6 and 1% respectively. Leaving out the last-mentioned and recently admitted language as an exception, it is also noteworthy how the population is largely bilingual. Professor Rappard has pointed out how the Italian-Swiss representatives usually speak French in the federal Parliament, as do the Italian lawyers appearing before the Federal Tribunal; further, although all Federal laws are published in all the official languages, most of the other official documents appear only in German or French.<sup>4</sup> Secondly, in addition to the predominance of one language

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<sup>4</sup> W. Rappard, *The Government of Switzerland* pp. 8-9.

as a simplifying factor, there is also the consideration that Switzerland is a small State with a historic policy of neutrality in international politics ; this simplifies many political problems. In the Soviet Union there are indeed dozens of languages, not to mention innumerable dialects. But Russian is spoken by 51% of the population, and the next two largest groups, Ukrainian (20 %) and White Russian (3%), are more or less dialects of Russian.<sup>5</sup> The other languages are, in addition, comparatively backward ones. And if in international matters the Soviet Union is by no means neutral, there is here, in internal respects, the simplifying factor of the dictatorship of the highly centralised Communist Party.

As against this, in the proposed Federation of Western Europe, German, the largest group, will be spoken only by 77 millions out of 200 and the next two, English and French, will account for 48 and 42 millions respectively. There will thus be no predominant language. And all languages will be extremely live ones on account of their historical development and past status when it comes to a question of rights. The Federation will also be presumably democratic internally and active internationally.

I have taken Professor Jennings' scheme to illustrate a real difficulty in the construction of international federal schemes. A similar problem challenges the powers of political invention when we consider the case of India also. For the purposes of this paper we may start from the basis of almost all current discussions that India will sooner or later be an independent State, and a federal State on the basis of linguistic units. The questions of Pakistan or of the States are irrelevant to the particular technical problem I am discussing. Now, most proposals as regards the constitutional arrangements of this future federation assume the continuance of a central legislature directly elected by the people of the various units. But we have a dozen languages, almost all of them extremely alive. Certainly Hindustani is far more important than the rest; but still it is the literary language, in either of its two forms, High-Hindi or Urdu, of only 140 millions, i. e. 35% of the total population.<sup>6</sup> (We have the problem of the scripts as well.) There is no question that all these languages (leaving out the question of scripts) will have to be equally allowed to be used in the central legislature. How will such a body work effectively? And how, under such circumstances will the central executive, whether of a coalition kind or not, or the federal judiciary, work? And what will be the real basis of the operations of the central government in the understanding and will of the people of the various units, even with the widest conceivable extensions of the knowledge of Hindustani.

<sup>5</sup> Figures for 1939 in *Our Soviet Ally* ed M. I. Colas.

<sup>6</sup> S. K. Chatterji, *Languages and the Linguistic Problem* (Oxford Pamphlets on Indian Affairs).

Therefore, it does not seem possible in all such cases, whether abroad or here; to avoid a great simplification of classical constitutional federal mechanisms. Some recognition of this is seen in the simplification of the powers of the centre over the parts in the proposed federal systems abroad. In India, similarly, confederations or mechanisms intermediate between them and federations have been proposed, as for example, by Professor Coupland and the late Sir Sikandar Hayat Khan, though most of these schemes proceed on the basis of unreal zones or regions discovered for sinister reasons. But it is only because they do so that the other idea sometimes seen in them of a central legislature based upon the unit legislatures seems so vicious. However, even this idea in terms of a combined or on agency legislature with a separate cabinet seems too complex a mechanism in practice. A central government of an undifferentiated confederal type, that is, the legislative and executive functions in the hands of the same body, with relations between the centre and parts on a federal basis may, it is suggested here, (and as Professor Coupland sees, though he is far more interested in the ideas of Regions and an Agency centre) be the solution in such cases. Such a line of thought will involve also a reconsideration of the question of a central judiciary, as well as of the organisation of the army and the administrative system in general. The army, for example, may have to be reorganised at its base on linguistic lines. Objections to such a scheme can easily be anticipated, but it has also to be considered whether they are more weighty than those to other solutions.

## REVIEWS

### INDUSTRIAL DEVELOPMENT OF THE NETHERLANDS INDIES

BY

PETER SITSEN. (Bulletin 2 of the Netherlands and Netherlands Indies Council of the Institute of Pacific Relations) Price \$.50 Pp. 61, 30 Rockefeller Plaza, New York.

The author of this brochure is described as the "Director of Industrial Division, Department of Economic Affairs at Batavia." He has produced a very readable analytic study of the cottage, small scale and factory industries of Dutch East Indies, which includes a clear statement of the industrial policy of the Dutch Government. Certain analogies to Indian problems naturally appear to an Indian reader as he dives through the pages. The author's 35 years' experience in the Indies leads him to the view that "the stage reached in 1870 by the U. S. A. in its economic growth was reached by the Netherlands Indies some time between 1935 and 1939." The close control over industrial production by the Government would be an eye-opener to many, who hesitate even in war-time to such regulative action in India.

"In order to keep the market open for domestic textiles, a system of import quotas was set up in such a manner that there would always be a market for domestic production. In addition the factories were legally bound to a licensing system. These licenses indicated the productive capacity of the factory, stated in numbers of mechanical or handlooms, which stipulations could be added concerning the type of goods to be manufactured, the wages to be paid, etc. In this way it was possible to guard against exhausting price wars, against a cartellization of the large factories to the detriment of the smaller ones, against a socially unwarrantable division of incomes, etc. In short, the far-reaching intervention of the Government in industrial affairs fostered healthy industrial development, beneficial for all concerned."

The enthusiasm of the author requires a caveat. He does not indicate the part played by the sons of the soil in the exploitation of the Dutch Indies, and, of course, the role of the Indies in a post-war scheme is beyond his scheme of presentation.

This account of industrial development in the Indies and the progress revealed by the figures relating to incomes, occupational distribution, electric power used, consumption per capita etc., does credit to the author and the Dutch Government.



## PLANNING FOR INDIA.

BY

BIMAL C. GHOSE. Price Re. 1-12-0 Pp. 76. Oxford University Press, Calcutta.

This is an assessment of the memorandum embodying the scheme for the Economic Development of India issued from Bombay by some of the leading industrial magnates of India. As is well-known that memorandum was the first part of a bigger scheme and as the second part has not yet come out, Mr. Ghose's criticisms relating to the gaps in the Bombay plan remain unanswered. On the narrow ground covered in the Bombay Memorandum, Mr. Ghose concludes that "the target of the Bombay plan has been fixed at level which is even lower than what was attained in Russia in a much shorter period, under initial conditions which.....were much more unfavourable than what we may expect in India." On the "two political assumptions" of the plan, *viz.*, "the existence of a national government and the economic unity of India," the author of the brochure under review, is explicit in his views. To quote:

"If the national government that is desired be of the liberal-democratic form as obtains to-day in the U. K. or the U. S. A., the productive-distribution mechanism or the economic system will be impeded by inherent stresses and conflicts....."

"There is no reason why if a small portion of India is perforce taken out of the control and authority of the popular government, economic planning would be rendered impossible for the rest, and by far the major portion of India."

But Mr. Ghose's merit lies not only in his capable analysis of the implications of the plan, but mainly in a lucid exposition of the background and problems of planning in an Indian setting, which would repay perusal both by the lay student as well as by the expert. He has sound words on the much-abused argument regarding population-pressure in the Indian economic context, and also on the achievements of Soviet Russia and the sophistic controversy about the possibilities or impossibility of "planning under capitalism". The reviewer, as a signatory to the People's Plan for Economic Development of India cannot subscribe to his thesis that the objective of raising the standard is not a matter of contention, as such an objective remains only on paper while proper safeguards are not taken to drastically control the profit-motive for directing productive capacity in the interests of the consumer, which would also imply a change in the distributional methods. Nor does he agree with his emphasis on industrialization, following the traditional lines of Indian economic essays. But, that does not take away an iota of appreciation for Mr. Ghose's admirable effort at a popular and bold exposition of one of the absorbing topics interesting to educated Indians to-day.

## BRITISH FAR EASTERN POLICY

By G. E. HUBBARD. Price \$. 1.25. Institute of Pacific Relations. Pp. 93.

Mr. Hubbard, Far Eastern Research Secretary of the Royal Institute of International Affairs and author of *Eastern Industrialization and its Effect on the West*, has, as is expected, produced a workmanlike book on Britain's Far Eastern Policy, which covers more than a century of "British dealings with China and Japan." In a subtle sense, Mr. Hubbard's is an effort to explain the combination of "different types of policy, some seemingly dictated by businessmen, others broadly imperialistic or informed with a modern attitude of international co-operation".

The book is divided into two main portions. The first dealing with the policy "Before the Manchurian Affairs" is split up into four phases : from 1834 to Sino-Japanese war of 1894-95 ; from the war of 1894-95 to the Great War of 1914-18 ; period of the Great War and from 1919 to the Manchurian Affairs 1931. The second portion is on more recent developments. The 3 valuable appendices relate to the Nine-Power Treaty of 1922, the British Memorandum on China of 1936 and the British Note to Japan on January 14; 1939.

Mr. Hubbard stresses his contention throughout the book that the pivot of Britain's policy has been the principle of Chinese independence but she has been "far more trammelled" than U. S. A. in following that policy because of "the unavoidable fact that Great Britain, as a European State and a World Power has had to coordinate her actions in the Far East with her general policy *vis-a-vis* European neighbours, and ever and anon to subordinate the former to the latter".

As an able summary of documents and narration of events, irrespective of the views canvassed, Mr. Hubbard's book can be profitably used by students of the Far East.

B. N. BANERJEA.

## POLITICAL PARTIES

(With Special Reference to India)

By RAJYASEVA PRAVINA C. V. CHANDRASEKHARAN, M. A. (Oxon.),  
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Published by Roshouse and Sons Ltd. Madras.

Pp. 108. PRICE Rs. 2.

In the first of these lectures Dr. Chandrasekharan briefly surveys recent developments in party history in England, the United States

and in totalitarian countries. In the second he traces the recent evolution of Indian parties, outlines their present position and finally advances a few guesses as to their probable future development.

Dr. Chandrasekharan's wide and deep study are evident in every page of his survey of European parties. His conclusion is that parties are indispensable to democracy and even in a country with a single party it is possible to have a type of democracy, witness Russia. Within the limits of a single lecture Dr. Chandrasekharan's survey is admirably full especially with regard to England.

Dr. Chandrasekharan's review of Indian parties shows a rare objectivity. The position of the Congress and the Muslim League are in particular well-analysed. Dr. Chandrasekharan shows that in a country which is struggling to be free, a party such as the Congress representing the nation in all its variety and regarding dissent from it as almost treachery so long as its fundamental aim of freedom is unrealised, is a natural development. With the achievement of its aim such a party breaks up and the field is clear for parties divided on the basis of economic and social programmes. He shows that in representing various material interests the Congress is not different from parties elsewhere. He leans to the view that in the year 1937 when Provincial ministries were formed the Congress made a mistake in taking the stand on homogeneous cabinets. He brings out clearly that neither the Congress nor the Muslim League are parties in the accepted sense of the word. We have to wait for a development of parties for the achievement of independence.

The book deserves the serious attention of all students of politics in this country and abroad who would understand the position taken up by Indian parties to-day.

N. SRINIVASAN.

# 1. "THE GROWTH OF POLISH DEMOCRACY"

By PROFESSOR WILLIAM J. ROSE, M. A. (Oxon), Ph. D. (Cracow). Padma Publications. Ltd, Bombay, 944. Annas Eight.

# 2. "POLAND, RUSSIA AND GREAT BRITAIN"

By F. A. VOIGT, Editor, "The Nineteenth Century and After", Padma Publications, Ltd., Bombay, 1944, Annas Eight.

These two pamphlets have been published recently in the Indo-Polish Library which has been started to show India to Poland and Poland to India.

The first pamphlet is by the Director of the School of Slavonic and East European Studies in the University of London and aims at removing the popular impressions about "Polish landlords" and "Polish Feudalism" and at proving "as dispassionately as possible" that during 1919-1939 Poland was able to develop to a high degree democratic Government. The pamphlet fails hopelessly in its objects and does not succeed even in giving a connected, succinct and an intelligent account of political development in Poland during 1919-39. It is poor both as history and as propaganda.

The second pamphlet is of a different order altogether. It is ably written and was originally published as an editorial article in the issue of June 1943 of "The Nineteenth Century and After". The pamphlet states clearly, cogently and with force the Polish case against Russia and makes an appeal to England to have a definite foreign policy and to pursue it with resolution.

GURMUKH N. SINGH.

### BURIAT MONGOLIA :

By V. I. POMUS.—Abridged and translated from the Russian Work "*Buriat Mongolskaia A. S. S. R.*" By ROSE MAURER AND OLGA LANG. Published by : Institute of Pacific Relation, New York, 1943. Price : \$ 1.00.

It would probably be a puzzle to most of us as to where is Buriat Mongolia situated. Is it a part of Inner or Outer Mongolia which belongs to China ? And what significance has the emergence of this state for the modern world ? It seems, the author of the present work under review, wrote the book for the purpose of answering these questions. But really, if anybody reads it, he will at once understand the main purpose of its publication. The author has done singular service in introducing to us such a progressing and resourceful state as the Buriat Mongolia which links up U. S. S. R. and the borderland of China. It is no wonder, if it is going to play an important role after the war for its unique position in Soviet Asia.

The author informs us how the Buriat Mongolian Autonomous Soviet Socialist Republic (BMASSR) in less than 25 years progressed in a terrific speed which transformed the old, backward and primitive country into a highly developed, modernized and up-to-date state. The peasants there enjoy the daily necessary luxuries such as radio-motor-cars, books newspapers, tooth-brushes, iron beds, musical instruments and so forth which would not even be dreamt of by their brethren who toil constantly in the corn-field of the East. It is now universally recognised that these luxuries are forbidden fruits for

the peasants and labourers and they are to be enjoyed only by the privileged upper classes. But the case is not so, so far as Buriat Mongolia is concerned.

This book is divided into six chapters, namely I. Geographic position and topography. II. The history of Buriat Mongolia. III. Socialist reconstruction of the national economy. IV. The future economic development of Buriat Mongolia. V. The cultural revolution in Buriat Mongolia and VI. Health protection. Each chapter is again divided into many small headings and most of them are profusely supplied with tables and figures. Moreover, there is a learned introduction by Rose Maurer dealing with the more recent developments of that state.

It is a readable book indeed. It gives us a brief survey of BMASSR and its future importance, though it is only an abridged translation from the original Russian. Nevertheless, there is something missing, it would be better still, if there were more detailed descriptions of the social life of the Buriat Mongolians as to what are their customs, manners and social relations with other people after their transformation into a new social environment and so forth. It seems that the author concentrates more of his attention on the 'Mechanical' side than on the aspect of human relationship. We hope, inspite of its imperfection, it will be received warmly by nation-builders and economists for it may serve them as a mirror for their future plans of national reconstruction. Only one important point the author has missed or purposely omitted is that Mongolia is still nominally belonging to China.

## MAGIC AND SCIENCE IN WESTERN YUNNAN.

By FRANCIS L. K. Hsu. Published by the Institute of Pacific Relations, New York, 1943. Price: 50 cents.

Since the outbreak of the Sino-Japanese war and the opening of the Yunnan-Burma Road, the life line of China and the only available link with the outside world, Yunnan, formerly a rather neglected and unnoticed province, has gradually assumed its unique position of importance. During the last seven years, not only its political and economic aspects have been fully developed, but the social and medical problems are also thoroughly studied and investigated by zealous social workers and experts who spend a good deal of their time in living with the local rustics there. The author of the present book presents us with a vivid and interesting picture of the customs and manners of the inhabitants in 'West Town'—a small village or town, being under the jurisdiction of the district government of Tali, in western Yunnan. With careful observation and minute analysis, he tells us how the populace there faced and combated with the deadly

cholera epidemic in 1942 with their old-fashioned traditional weapons such as : Prayer meetings, hanging cactus stalks, making hand-prints on doors, and drinking of fairy water.....instead of sending for doctors and trusting in medicine. The remedies proposed by him will be of tremendous value to transform the old irrational practices into the scientific and effective methods of cure. Moreover, these plans will, so far as the indication goes, be established on a permanent basis. From the standpoint of Westerners who have been associated with an atmosphere of scientific thinking and sanitary habit, there is hardly any doubt that they, as many of them used to do, would ruthlessly condemn the aforesaid rustic measures as utterly primitive and superstitious. But on whom should we lay the blame, since everybody considers himself 'Correct' and never deems it agreeable to ponder over a little in terms of other person's angle of vision ? That shows how the East and the West would never come together, because each wears a pair of spectacles tinged with different colours.

Expressing in a very sympathetic way and endeavouring to penetrate the social circumstances and difficulties of the rural populace, the author suggests to us that in order to introduce the defective means for fighting with the epidemic, even some of the so-called 'magic' measures such as : Taboos on food for pleasing the gods, taboos on dirt and animal and human soil in streets for making the place clean for the gods and so forth, may also be utilized. But all these should be treated as temporary measures leading finally to the modern scientific methods.

It is very noble on the part of the writer that firstly he does not curse the 'magic' performances of those poor farmers, because he grasps the situation perfectly and knows what a mass of communal, economical and traditional complexities is involved ; and secondly he gently lodges a mild protest against the undesirable actions of the missionaries and physicians who are in connection with that area claiming themselves to be the messengers of the Supreme as well as torch-bearers of modern science. For fulfilling their mission and furthering their efforts to a successful end, he has given them a formula of a wonderful mantra. It runs thus :

"The medical practitioners and missionaries need to realize that *a doctor is not a preacher*. The medical man's first duty is not to convert the patient or the community to his western system of medical thought, but how to *introduce* its fruits, western medical practices, to a community immersed in a different mass of habit and conception." p. 46.

The persons, especially foreigners, who engage themselves in the field of social welfare and medical service in rural areas, and those who are interested in the rural affairs of present-day China, this book will, we are quite sure prove to be of much assistance and guidance.

LABOR AND LABOR RELATIONS IN THE NEW  
INDUSTRIES OF SOUTH-WEST CHINA.

By KUO-HENG SHIH AND JU-K'ANG T'IAN. Edited by Francis L. K. Hsu : Published by the Institute of Pacific Relations, New York, 1943. Price : 50 cents.

Some ten years ago industrialization on a large scale in the interior of China was practically unknown, though there had existed certain types of industry, more or less along traditional lines, in different localities in the country. Then the war came. From the sheer necessity of maintaining her existence, China had no other choice but to industrialize her interior provinces by removing the factories from the lower Yangtse and recruiting skilled labourers in every possible way. As China is widely known as an agricultural country from time immemorial and has little or no experience in dealing with questions in connection with industry, she is today facing a serious labour problem which is yet to be solved.

Based on the data of their investigations in two different factories, one operated by male and the other by female workers, the authors of the present book tell us in detail the causes of the instability of labour, the maladjusted relations between the factory staffs and the labourers, mismanagement and improper behaviour on the part of the authorities concerned and hindrances of social convention. They also give workable remedies for these problems. We welcome their suggestions for the factory authorities to behave friendly towards the manual labourers, to treat them equally, to take heed of their socio-psychological reactions, to change the traditional conception towards labour, and other useful remarks. These proposals will, undoubtedly, help to solve the present labour entanglement and be a guide to the promising prospect of a fully industrialised China.

The method being adopted by the authors in approaching this problem is scientific and their views are impartial, because, they look at the matter in question not from the standpoint of a capitalist nor of an industrialist but as students of social anthropology. And that is what we believe it should be.

There are two minor mistakes which we should like to point out : On page 13, paragraph 4, it is not very clear what the authors wish to say about the relations of a normal school graduate with the factory under investigation, and in paragraph 5 of the same page, giving "Shih Yuan" for 'manager', we think the Chinese word "Ching-li"—to manage or one who manages—is much better.

This book will give good assistance to those of the West who are interested ; they will gain a knowledge of labour problems in Southwest China and some idea of the problems facing other countries in the East.

FA CHOW.

## THREE TYPES OF RURAL ECONOMY IN YUNNAN.

BY YU-I LI, HSIAO-TUNG FEI AND TSE-I CHANG. Published by the Institute of Pacific Relations, New York. Price : 25 cents.

The changes that are taking place in those countries once thought backward are world-wide in significance. Russia demonstrates what a short space of time is required for the transformation of a backward peasantry into the sufficiently educated operatives of plants of big industry and scientifically organised agriculture, we begin to see the potentials of a new world opening up to countries such as China. If each country is to make its own contribution to the whole an understanding of its backgrounds is essential.

Yunnan, where these three studies were made in a vast area where many different types of agriculture are practised, is known as a paradise for plant collectors, its soils and communities of people are almost as varied as its plants. These close studies made in three small villages demonstrate the importance of beginning any research in this unit of the social structure.

The writer of the first indicates racial characteristics and the results these have had on the ownership and sub-division of land in a community of mixed Chinese and Lolos, showing too that from a position of dominance in the political and economic field, assumed as early immigrants, they are now, by the thrift and thirst for land of the Lolos, slowly losing control and returning to the towns. In the second study which is of a community consisting largely of petty landowners, we see the effect of pressure of population on the size of holdings as these are sub-divided through a custom of equal inheritance of all the sons. Conclusions arrived at in the third study are a warning that industrial development must be clearly understood if maladjustments of social and economic relationships are not to be created more serious than those already existing.

Though they can only be a small contribution to the understanding of a rural economy so vast, the careful pieces of research done in three small villages, of mixed races, of petty landowners and of rural industry and land, touch on problems that are universal. Such studies are the basis for better understanding of the processes shaping the social structure, and from such understanding plans can be laid down for land resettlement and the improvement of agriculture and rural industries.

J. G. SHORT.



## NOTICE.

### THE INDIAN POLITICAL SCIENCE ASSOCIATION

(Addressed by the Secretary to the members of the Association and the readers of the journal).

The New year of the Association began on January 1st, 1944. Kindly send your Annual Subscription of Rs. 10/- (by cheques Rs. 10/4/-) at your earliest convenience. The life-membership fee is Rs. 100 and I shall be glad if you will agree to become a life-member by sending me a cheque for Rs. 100/4. In case your subscription is not received before the 31st January, 1944, the next issue of the Journal will be sent per V. P. P. Please note and send the subscription as early as possible.

The Seventh Annual Conference of the Association will be held at Jaipur (Rajputana) on the 2nd, 3rd and the 4th of January, 1945, under the Presidentship of Professor S. V. Pantambekar, Hindu University, Benares.

The subjects for discussion shall be :—

1. Civil Liberties in India in Peace and in War.
2. International Relations with special reference to the East.
3. Symposium on constitutional schemes for India.

Papers not exceeding 10 typed foolscap pages should reach the President before November 10, 1944. A brief synopsis should accompany the paper and both must reach him before the 10th November. This is most important.

You are requested to write a paper and make it a point to attend. *Please note that papers which do not fall within the scope of the subjects selected and which do not reach before November 10th, 1944, will not be accepted.*

A member of the Association can attend the Conference without making any extra payment. Non-members can attend the Conference, read papers and participate in discussions on payment of a fee of Rs. 5/-. *Bona fide* students can attend on payment of Rs. 2/- only.

All those interested in the study and advancement of Political Science are requested to become members of the Association.

January 10, 1944.

J. N. KHOSLA.

*Secretary & Treasurer.*

*Indian Political Science Association,  
University Hall, Lahore.*

## SOCIAL PHILOSOPHY OF Dr. BHAGWAN DAS.

BY

DR. BOOL CHAND, M. A., PH. D.,

*Hindu University, Benares.*

The purpose of this paper is to consider how far Dr. Bhagwan Das's re-interpretation of Manu's laws of social organisation affords a satisfactory solution of the present-day problem of the relations between the individual and society. The problem of society and the individual has come to have far larger significance today than at any previous time in history, for, as a result of certain factors in modern life, society has developed at the present time into a positively rigorous and all-pervasive organisation instead of a voluntary and limited one. In the tribal form of organisation, the bond of association used to be the existence of a communal ethos, which bound the members of the tribe so completely to the group that they formed what might be called a tribal self. That communal ethos political evolution had tended gradually to destroy, and with the dawn of the seventeenth century in Europe there came into being the concept of an individualistic society which regarded human beings as being the best judges of their own interests, it being assumed that they had interests and business which were completely their own. In the east the emergence of individualistic society, recognising the individual and society as two fundamental and essentially independent concepts having their separate spheres of public concern, was helped by the growth of a religion-like Hinduism, which laid its emphasis upon the capacity of the individual to attain the highest goal of liberation. But a theory of the dualism of spheres of public concern, inadequate possibly when it arose, is proving quite impossible in the context of the present situation in which the state is extending its horizon of activity so far as to take within its purview not only the purely economic and political aspects of life but also the so-called social and moral aspects of the life of individuals. Today, more than at any previous time in history, there is a conflict, an antinomy, between the claim of the individual to freedom from external control and the desire of the group to command the activities of its members. Social philosophers have been inclined to argue that society is but a total complex of human relationships and cannot exist apart from human individuals, who play their part in all its concrete manifestations and who also, in the ultimate sense, will the nature and the ultimate ends to which that concrete manifestation is to be directed ; but such argument today appears unavailing, for the fact is that when once the ultimate ends of action have been thus broadly defined, the action of the individuals

does not remain free in any sense of the term but is controlled and commended, and regulatory norms are set up and enforced in order to maintain an orderly process to secure what the ruling section in society considers to be in harmony with the ultimate value system of the community.

Of this conflict between the position of the individual and the claims of society, two solutions have been offered by political thinkers in the west, one by the Fascists and the other by the Communists. The Fascist solution is simple, but crude and clearly unacceptable. Recognising that the claims of society today have become almost as extensive in form as they were in the more primitive stage of social organisation, the Fascist proposes that as a natural corollary to this development in the position of society the individual must also find his level according to what it was in that simple organisation. The individual, he argues, has no place outside society and can find his perfection in society only if he merges himself into it so completely as to become a veritable part of the social personality. Mussolini, the exponent of Fascism in Europe, defined the Fascist doctrine as consisting in '*riconciliazione*, reconciliation of the individual with the state, *inserzione*, his fitting into the life of the state, and *unificazione*, the complete unification of the state and the individual'. The Fascist ideology deliberately reduces the position of the individual to one of unquestioning obedience and complete subservience to the state. The Fascist has a habit of hiding his real meaning behind euphemistic terms; he calls his solution the 'cultivation of community life' among individuals, although how the Fascist state represents any more intense community life than, for instance, the liberal state in the nineteenth century, it is somewhat difficult to see. On the contrary, the structure of the Fascist state seems to us to be based upon anarchistic individualism—a whole world of human beings dominated and governed by the personal whims of one individual at the top who regards himself as the mystic repository of the community will. The Fascist oath reads—'In the name of God and Italy I swear to execute, without discussion, the orders of the Duce and to serve with all my strength, and if necessary with my blood, the cause of the Fascist revolution'. It gives no leeway at all for dissent, and in practice inevitably sacrifices the individual to society.

The Communist solution is much more involved and also plausible in theory. Proceeding on the hypothesis that all history is a conflict between the oppressing and the oppressed classes and that the state is primarily an instrument of oppression, Marx proposed that this state of affairs should be brought to an end by means of a union of the working classes and by the establishment, after the overthrowal by revolution of the ascendancy of the bourgeoisie, of the dictatorship of the proletariat. By itself the dictatorship of the

proletariate, however necessary in order to bring to an end the exploitation of the workers, would not constitute a solution of the conflict between classes, or what to Marx was another aspect of the same problem, of the conflict between society and the individual. To form a real solution of the problem, Marx looked forward to the conscious organisation of a classless society, based upon the ideas of common good, in which people would become so habitually accustomed to observe the fundamental principles of social life that they would voluntarily work according to their abilities and the needs of society. In this society mass mind would become so socially attuned that coercive governmental operations in the sense in which we understand them today would be rendered superfluous, for in this society there could be no possibility of any conflicts of a serious nature. The Marxist analysis is perfectly sound that once the mental diseases and oppressions that result from poverty and class struggle become forgotten things, most of the reasons for coercion will have vanished. But it seems to us that Marx made mistake in tracing all human desires and ideas solely and irrevocably to economic causes. So long as men and women remain what they are, possibilities of quarrel and violence would remain also, whatever the economic structure of society. Not all violence arises from economic causes: there is also, for example, sex.

Herein comes the need for a scheme of life which would provide for a balanced and orderly fulfilment of all human instincts in the organisation of social fabric. Such a scheme of life Dr. Bhagwan Das, the eminent Indian philosopher, finds hidden in Manu's laws of social organisation, and he has accordingly re-interpreted them in the light of modern needs in his various writings. Dr. Bhagwan Das's analysis proceeds on the assumption that Manu's code of life offers the most scientific solution of the individual-society relationship. It is purposive, he says, in the sense that it desires to maximise human happiness, abolish sorrow, satisfy intellectual, emotional and actional craving of the individual, and does so with a balance of movement so as to achieve the most satisfactory self-expression of the individual and the most useful results for society. Further, it affords "duly and justly apportioned opportunity to the man of knowledge, the man of action, the man of desire, and the undeveloped man," and affords full scope of expression to the acquisitive and retiring instinct, in the life of each individual man.

The scheme itself is quite simple and sanctioned by a long-enduring tradition in India. It comprehends the organisation of society into four vocational classes, the *Brahmana*—the man of knowledge, of the learned professions, the *Kshatriya*—the man of action, of the executive professions, the *Vaishya*—the man of (acquisitive) desire, of the wealth-producing professions, and the *Shudra*—the man

of labour, of the service professions, and the organisation of each individual life into four stages, the *Brahmachari* or student stage, the *Grhastha* or householder stage, the *Vanaprastha* or selfless public worker stage, and the *Sanyasi* or the detached and peaceable philosopher stage. In its scope this scheme of social organisation is quite comprehensive. The cycle of life, says Dr. Bhagwan Das, moves in two phases, *pravritti* or pursuit and *nivritti* or retirement—the philosophers use the terms evolution and involution; and the Manu scheme of life enables a satisfactory development of both these essentially interdependent phases. Of the pursuit half of life the end is self-expression, of the retirement half the end is self-realisation. In neither half does activity cease, it merely changes its character in conformity with the age, desires and the capacity of the individual. The division of the individual human life into four stages and the classification of individuals into four castes is, further, in perfect accordance with the psycho-physical constitution of the individual. The human being begins life with an increasingly separative sense of egoism and only gradually becomes conscious of social ties. The period of increasing psychological egoism is thus justifiably the period of education, of the cultivation of instincts in the habits of social thinking. The second stage is marked by the engrossment of the individual in the circle of the family. The family circle, in the third stage, gets naturally extended to the community or the nation, and in the fourth to humanity at large. The problems of the first, *i. e.* the student stage, being educational in their nature, would logically fall to the share of the learned, the *Brahmana* caste; those connected with the fulfilling of the needs of the second stage, including problems of domesticity, population, economics etc., would be best dealt with by the merchant, the *Vaishya* caste; the problems of the third stage may, from one point of view, be said to be problems of administration or government, and would be dealt with by the warrior, the *Kshatriya* caste; while the manual labour or the *Shudra* caste would subservise the physical side of all these three castes. Thus, all human affairs would find their rightful place in the Manu scheme of social organisation, as all human beings would naturally fall into one or the other of the four vocational groups according to their natural inclinations and faculties.

The logic of Manu's scheme is quite unquestionable, but the trouble with it is that, practised over a long period of time, it results in a fatalistic loss of enthusiasm in the individual and of commotion in society. Indian philosophy, as Dr. Bhagwan Das repeatedly says, takes its stand upon one final principle of life, one law governing human society, called the Dharma. Dharma is conceived as having been created by the Brahmana or the Supreme Deity, and law-givers are spoken of as the declarers and not the makers of it. It may be relevant in this connection to mention that the concept

of Dharma is not peculiar to the Hindus only; Plato, in his *Republic*, spoke of universal justice underlying the whole moral life of man as part of a living society. He started from the assumption that it was the need for food and clothing which made an organised society necessary, but since human wants are never confined to merely material things, he added to the artisans and workers who constituted the original company, a soldier and ruling class, whom he called guardians. In a similar way to the division of the state into three classes, he assumed the three-fold division of an individual soul, the appetites corresponding to the artisan class, the ambition or spirit being analogous to the soldier class, and the rational part corresponding to the governing class. In the context of these assumptions, the Platonic principle of justice dictated (1) that the place that any man takes in the state would depend upon whether he is predominantly wise or brave or submissive, and (2) that as no man is altogether devoid of any of the virtues, even the worker possessing a limited quantity of wisdom and a kind of courage, a citizen would positively regulate the elements of his soul in conformity with the needs of his station in life. This second implication of Platonic justice unfortunately never came into the Hindu concept of the Dharma, which always tended to look upon the existing social order, with all its hierarchical arrangements, as the manifest form of the Dharma. The result was that the view of the Dharma widened with the passage of time, but always in a definitised form. Every succeeding law-giver satisfied himself by sanctifying any custom or usage which in his view was healthy and useful as a part of Dharma, and in the course of time Dharma flowered into its concretised shape of Svadharma, or list of duties which are proper for any particular station or class of society. The *Brahmanas*, the *Kshatriyas*, the *Vaishyas* and the *Shudras* all came to have their own prescribed Svadharma. Similarly, there came into being a definite scheme of Svadharma for the *Brahmachari*, the *Grhastha*, the *Vanprastha* and the *Sanyasi*. Further, Svadharma came to lay down duties for peace times as well as for times of war. Thus, an elaborate classification of Dharma sprang up.

This definition of Dharma in terms of Svadharma inevitably led to the ossification of all social instincts in the individual. The concept of justice in Platonic thought was essentially idealistic and therefore dynamic in its operation, but the Hindu idea of the Dharma became practical and therefore static in its implications. The Platonic state presented a divine pattern, by aspiring towards which statesmen could make themselves and their states better; the Hindu state, by enabling every individual and class to perform the duties incidental to its station in the scheme of social organisation and no more, became an agency for the perpetuation of the *status quo*. Dr Bhagwan Das is himself quite cognisant of the absurdities to

which an inelastic interpretation of Dharma has given rise; but he believes that caste system suffers today merely by reason of its having become wedded to the hereditary idea, and that it would recover its ancient glory if it can be merely put on its vocational basis. Indeed, he seems to be perfectly unconcerned about the detailed enumeration of the rights and duties of each caste in the scheme of social organisation. He does not appear to be sufficiently cognisant of the unmistakable self-sufficiency implied by the Hindu view of the individual's Svadharma. The fact that the individual in Manu's scheme of social organisation as operated in India was not conceived as a product of the various social relationships into which he enters but primarily and solely as a unit by himself seeking self-realisation through the disinterested performance of his prescribed duties, is not mentioned by Dr. Bhagwan as a point of criticism of the prevailing idea of the Hindu Dharma.

There is, it may be mentioned, no inevitability of relationship between the logic of the scheme itself and the prevailing emphasis in it. The conception of the Dharma can be and ought to be given a social implication, and made to teach the individual that he can be true to his real self only if he keeps pace with the rhythm of the universe. Rightly ordered and expanded, it can furnish the basis of a new polity which in its complex co-ordination and co-operation of multiple groups will be far more satisfying and successful in the state and inter-state construction of the future than the monistic organs of the present state organisation. The Dharma, must, of course, have a clearly understood social ideal, and the ideal will have to be necessarily secured by the creation of suitable institutions; but institutions ought to be regarded merely as instruments of life and not as ends in themselves. The tendency to regard existing institutions as having a divine claim to the loyalty of the individual was the most serious pitfall that the Hindu concept of Dharma unfortunately encountered, and it has to be saved from that pitfall. This can be done by acknowledging the ultimate allegiance of the individual to the ideal instead of the existing scheme of social institutions. The desire to approximate to the ideal will lead to perpetual vigilance on the part of the body politic, and perpetual vigilance is the only condition for the creation of commotive power in society.

# SWAMI DAYANANDA SARASWATI\* (1824-1883).

BY

PROFESSOR INDRA DATT SHARMA,

*D. A. V. College, Lahore.*

*Introductory :* The Swami was born in 1824 A. D. But he belongs to the galaxy of the post-mutiny Indian Political Thinkers mainly for two reasons : firstly because he began his work of social and political uplift in 1862-63 ; *i. e.*, six years after the Mutiny ; secondly because his social and political philosophy typically represents the thought of the later period of the 19th century. He was the contemporary of Sir Syed Ahmed Khan, Sri Keshab Chandra Sen and John Stuart Mill, he was eighteen years younger to Mill and lived ten years after his death (1873).

*How Political Thought is Born :* There is always to be found a close relation between the political thought of any given period and the actual political conditions existing at the time. Most of the political theories arose either to explain or criticise the authority which men obeyed in the hope to bring about a change for the better. It is true that sometimes, political philosophers speculated, as now, on the ideal state and drew imaginatively ideal if not utopian pictures of the type as in their imagination of opinion, it should be. But even this type of political philosophy, after a close examination, will be found out to be based on the political ideals of its times, and will usually be found to be meant to remedy certain specific evils which arise in the community as a result of the then—prevailing social, political and economic conditions. The Republic of Plato can only be properly understood in the light of the conditions which existed in the declining period of the Greek city-states. Moore's Utopia is explained only by the social unrest during the transition from agriculture to sheep farming in England. In the same manner the theory of the state and government advocated by Dayananda can only be explained in the light of social and political conditions which obtained in India during the nineteenth century. Political theory is connected, not only with the political institutions existing in a community at a particular period, but also with thought other than political *viz:* social, religious and economic, to name only a few. Abstract political or economic man cannot be separated from his other interests, in the same manner political thought cannot be divorced from ethics, religion, literature, philosophy and economic theory or even from dogma, superstition,

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\*A paper submitted to the Indian Political Science Conference, Sixth Session Lucknow, December, 1943.



custom and prejudice of the people. It has to take into consideration the ideals and the aspirations of its times in addition to the experience of mankind.

But there is an exception to this rule. When there is a crisis in the life of the people among whom the political thinker is born, political theory takes a radical and a sudden turn. Many contradictions in the field of human thought, life and action present them before him. And at once he becomes a rebel and a child of his age. He justifies his character of a rebel by evolving a new theory and propounding a new philosophy of life—political, ethical and economic.

There was such a crisis in the contemporary India of Dayananda (1824-1883). His political theory cannot be properly understood without some brief treatment of the political, social and religious conditions in the India of his time.

*Political condition of India :* India was passing through a great political upheaval when Dayananda was born. The tallest of the Marathas had become a vassal of the East India Company. The Mughal Emperor at Delhi was more a figure-head than a real sovereign. The position of the Nawab of Oudh excited pity more than condemnation. By the time the Swami left his preceptor Virjanand (1862) India had completely come under the sway of the British including the Punjab. The embers of the Mutiny though still feebly smouldering had sufficiently cooled. The rule of the commercial company had ended and the crown had assumed the rein of the government of India. The Queen's Proclamation (1858) had promised the very best care of the Indian people and assured the Indian princes—big and small—the enjoyment of their rights. The people of India did not have any share in the government of their country. In a word the political degeneration of India had not only set in but was well advanced when Dayananda started his work of all-round rehabilitation of the people.

*Social condition of India :* The social condition of India was worse than its political condition. The whole fabric of the Hindu society was crashing. In addition to political circumstances there were other causes as well which contributed towards the complete social demoralization of the Indian society. The Hindu society was based on the varna system. These varnas had their political and economic bases ; no varna was superior to the other ; the Hindu society was one organic whole. The fourfold division of the Hindus compared favourably with the Greek classification of society. For ages the varna system had withstood the onslaught of time and had proved its wisdom and strength. But now due to historical and political circumstances disintegration had set in. The Brahmans who could be well compared to Plato's All Wise Philosophers had taken to demoralization and ignorance, they had made a trade of their know-

ledge With the demoralization of the wisemen of Hindu society, caste system, illiteracy, widowhood, professional beggary and pseudo-sanyasi-ism had come to form an integral doctrine and practice of Hinduism. It was on its death bed when Dayananda rejuvenated it with his life-giving hard blows.

*Dayananda's importance :* Everything in the modern period appears to have its root somewhere in Swami Dayananda's work and teaching. It may not be an exaggeration to say that with him modern political thought in India begins. He is certainly the father of modern political and social movements and of Indian nationalism as a basis of sound world order or internationalism. Writers or leaders of political thought and movement in India may not acknowledge him publicly but there is no leader of political thought in contemporary India whose utterings cannot be traced to the writings of the Swami. Dayananda as a political philosopher is neglected perhaps because the Arya Samaj has particularly identified itself with social reform and there are many thinkers who feel that it has neglected to implement the political programme of the Swami. But it needs to be pointed out that it is only those who look only to the surface and not below it who can feel that way. Most of the leaders of political thought and social reform in India are and have been connected with the Arya Samaj at one or the other time of their life. Dayananda sowed the seed and the present generations are reaping the rich harvest. This is amply borne out by the political theory of Dayananda.

*Political Philosophy of Dayananda :* It must be made clear at the outset that Dayananda did not claim for himself any originality in laying down his political theory. His cry was back to the Vedas, and whatever he said was supported by vedic and shastric texts. The sources of his political philosophy are the Vedas, the seventh, eighth and ninth chapters of Manu, the Sukraniti, Vidurparajgar, Rajdharma and Apatdharma, the Shanti Parva and certain other chapters of Mahabharata.

*On the Form of Government :* Dayananda advocated limited, benevolent monarchy. He does not advocate a hereditary monarch, kingship according to him is elective. He quotes Atharva veda, Kand 6th, Anu 10, Va 10, Mantra 1st : "O men ! Let that man alone among you be made a king—the President of the Assembly—who is a very powerful conqueror of foes, is never beaten by them ; who possesses most noble qualities, accomplishments, character and disposition ; who is thoroughly worthy of the homage, trust and respect of all ". This is further supported by Yajur Veda Adhaya 9, Mantra 40 and Rig Veda, Mantra 1, Sutra 39, and Mantra 2, " The Head of the State is helped by these Assemblies (Religious, Legislative and Educational)." He conceives of government as an organic whole. He does not make this theory of separation of powers

a confusion of powers. He was aware of the fact that a rigid division of governmental functions into water-tight compartments is not possible and that it destroys the concert of leadership in the government. He is definitely of the opinion that these three Assemblies should work, in harmony with each other.

Discussing the position of the king in chapter 6th of the Satyarath Parkash the Swami points out on the authority of the Shatpath Brahman (11, 2, 3, 7, 8), that an absolute king would impoverish the people and oppress them....one man should therefore never be given despotic power (Ch. VI, p. 181). If we may use the modern terminology, Dayananda considers the king the chief magistrate and in describing his qualifications quotes Manu (VII, 4, 6, 7) pointing out that 'He should be as powerful as electricity, as clear to his people's hearts as their very breath, able to read the inmost thoughts of others and just in his dealings as a judge.

*On Law and its Supremacy :* He then points out the majesty of law and quotes Manu to say that 'The Law alone is the real king, the dispenser of justice, the disciplinarian'. (Satyarath Prakash p. 184 1906 English Translation, Lahore). But it is enjoined : 'Let no one abide by the law laid down by men who are altogether ignorant and destitute of the knowledge of the Veda, for whosoever obeys the law propounded by ignorant fools falls into hundreds of kinds of sin and vice. The importance of what the Swami says will become clear if it is read in reference to the qualifications required of the legislators in all countries in modern days.

He seems to be one with Plato in that he requires the king to be an all-wise philosopher and secondly makes not the ruler but the law supreme. For he says : "Great is the power and majesty of the law. It cannot be administered by a man who is ignorant and unjust. The king is not above the law.

*On International Relations :* The Swami advocates conquest of other countries either in self-defence or for the good government of those countries. He at length lays down on the basis of Manu how the enemy, neutrals and the allies should be treated. This is described by the Swami at length in his work Satyarath Prakash (1906 pp. 204-212). After quoting Yajurved that "we are the subjects of the Lord of the Universe—the king of kings He is our true king and we are all His humble servants," the Swami closes his chapter on government invoking divine help for political regeneration and power "May we in this world, through His mercy, be privileged to occupy kingly and other high offices and may He make us the means of advancing His eternal justice."

*Conclusion :* It is not claimed that the political theory of Dayananda is complete. No political theory is. India was passing

through a renaissance. Dayananda had caught the nerve centre of his age. Westernism was going too far. The highest religious spirit of India had been so weakened that the religious spirit of Europe threatened to extinguish its flickering flame. The Brahmo Samaj was troubled by it, but was itself willy nilly stamped with western christianity. Ram Mohan Roy's starting point had been Protestant Unitarianism, Maharshi Devendra Nath, although he denied it, had not the strength or courage to prevent its intrusion into the Samaj, when he handed it over to Keshab Chandra Sen. The Brahmo Samaj had suffered from two schisms and the Indian public opinion could not feel any confidence in a church undermined by two successive schisms. Forces were active which taught Indian intelligentsia to despise the genius of their race. The instinct of self-preservation revolted. Dayananda's generation had watched, as he had done, not without anxiety, suffering, and initiation, the gradual infiltration into the veins of India of superficial European rationalism whose viomic arrogance understood nothing of the depths of the Indian Spirit, and secondly, of a Christianity which when it entered family life fulfilled with a vengeance Christ's prophecy that "he had come to bring division between fathers and son . . . ." Dayanand was the only one who hurled the defiance of India against her invaders. He believed that political rehabilitation was possible only with a healthy religion and a pure social structure. His was the lot of a Luther fighting against his own misled and misguided Church of Rome. He stands at the head of Indian Renaissance. His was the soul of a leader and he was a great uplifter of the peoples. His was the most vigorous force of the immediate past and present action in India at the moment of the rebirth and reawakening of the national consciousness. It is evident from the sketch of his political philosophy that he was one of the most ardent prophets of national reconstruction. His purpose in life was action and its objective his nation. We may not agree with the details of his theory of government or political theory but this has to be remembered that he was harking back to the vedic age and differences of opinion do not detract from the real value of things. The present political thought in India is in no small measure influenced by what he did and said. The importance of national unity, the Swadeshi movement, national self-respect and confidence, revolution of the national mind and a national sense of international brotherhood are all to be found to be included in his political theory which he drew from the most ancient source of all knowledge *viz.*; the vedas. The Indian people wasted their time in talking and longing for reforms. Dayananda alone understood that it was necessary to build from the ground up.

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# VISHNU BAWA BRAHMACHARI, (1825-1871)— AN UTOPIAN SOCIALIST.\*

BY

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Vishnu Bhikaji Gokhale was born in 1825 and died in 1871. He was contemporary of Swami Dayananda and represents more or less the same approach to the contemporary problems of Society, religion and politics. His life and appearance possess remarkably similar features and his career and character similar qualities of head and heart. He did not marry. At the age of 23 he gave up his government service and society, and became a Sanyasi for the realisation of higher self and knowledge. He went in search of a Guru, approached many saints, Mahants, Siddhas and Pandits, and studied, argued and held discussions with them. But he was not satisfied with their teachings as well as with their worldly life. He then took to serious penance and led a solitary life of devoted meditation. He meditated over the teachings of the Vedas and Vedanta. He thus gained confidence in himself and became definite and fearless in his beliefs. His test of truth became the promptings of his own conscience and the inspiration he received in his concentrated meditation. He realised that the solitary life of a Sanyasi for his own self-realisation was not sufficient. He felt inspired to devote his life and knowledge for the welfare of the world. He felt a call from within "to destroy contemporary heresies and to establish the Vedic religion again." He announced to the people that God had inspired him in the forest when he was meditating to do this work of spreading the message of the Vedas. The vedic religion he realised to be the best and greatest of religions. He therefore started the preaching of the meaning of the Vedic religion. Despite the political and economic insignificance of India in the international arena during the 19th century and more of her political eclipse, a spiritual struggle went on within the country which was all the more intense for lack of practical and material avenues of expression. India was State-bound, caste-bound, religion-bound and tradition-bound. But we find in the writings of that period concentrated the pain and despair, the sacrifice and struggle prevalent in the country for rising out of the existing bondage into a brave new world of freedom and social justice. We can trace in them the ideological currents and the intellectual and emotional attitudes swaying the whole generation of Indians who desired to see their embodied and disintegrated nation take on the flesh of Statehood.

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The deep moral forces of a spiritualistic tradition fused with the new materialistic positivist movement of the west. Thinkers and reformers plunged into philosophical and historiosophical speculation on the people's weaknesses which had dragged heavily on the efforts of country's heroes to lift Indian society into a noble moral plane. Upon the resurrection of a free India their exultation knew no bounds. Some urged the people to accept their utopian visions of an ideal national reconstruction of society.

If we define a utopia as a perfect society in which a maximum of individual and collective liberty, comfort, security, and justice is assured to all, then utopianism is a belief in the possibility on earth of this happy existence. There have been very few utopian thinkers in India. Only the Vedantists and saints have contemplated of a Kingdom of the wise, the elect, the devoted, and have left an inspiring tradition and ideal in their philosophies and gospels.

The Brahmachari mirrors to a certain extent the highest flights to which a thinker of this tradition and inspiration can attain in this period. He is as it were the conscience and the lyric bard of those flights. His message is addressed primarily to his countrymen. But it transcends nationalistic outlook and problems. It hurls the author into a struggle of the individual against the dominance of state, religion and caste and at the same time into a universal spiritual struggle within that individual for a new universal outlook. Such a purpose lifts him to exalted summits of idealism and spiritual triumph and does not plunge him into despair and impotence. He possesses a lofty moral stature. His writing is universally human and powerfully original. His sociological theorising is not derived from a scientific approach to social problems but from an emotional revulsion against political and social wrong.

Born just when the Maratha Empire was expiring he became the spiritual heir of the social and political romanticism of its founders. The social, political and spiritual tenets of the great Vedic tradition and Maratha prophetic saints were more congenial to him than the positivistic doctrine of western materialism. Indeed the basic inspiration of his ardent socio-patriotic preaching and crusading was the high moral elevation of the tenets proclaimed by the great Vedas and immortalised Vedanta. His environmental factors, his home milieu and his family traditions and his intense yearning for solid philosophical anchorage made him especially receptive to the sacred words of the Vedas which gave him the light of Knowledge and religion. His intellectual baggage was confined to these sacred works and the songs of Maratha saints. But he had a keen mind and sensitive emotions. He found great intellectual stimulation in discovering new truths and new ideological conceptions in the books he studied. They inspired him with tremendous faith in their social, political and spiritual value. His

ideals especially about society and politics may be raw, primitive and indefinite, but they were ardently embraced. In him the elements of enlightenment and social progress were indissolubly bound with his innate patriotism and revolt against the political oppression by foreign rulers and cultural conquest of his people by Christian missionaries.

His sympathies went out to any and every socio-political or socio-religious group which strove for national or cultural independence whether he agreed with them or not. He was simply non-partisan and incompressible into any one ideology or group. To him his "republic" was to be the germ of a new morality, a new culture and a new social system rising out of it. It grew up around a blazing centre of his intense and ardent internal emotion which expressed itself in moral indignation at the injustice of the social system and political condition existing in the country. He wanted a just social and economic order. Its establishment required a victory of altruism over selfishness. To him social justice and moral perfection came first. His spiritual restlessness and intense emotional pain gave him a new outlook. He felt a revulsion at social and economic injustice, and an overpowering pity for suffering humanity. He assumed the burdens of a professed social reformer and propagandist.

India at that time was passing through a religious and social conflict and transformation. Christian missionaries were attacking religion. They were converting people and bringing them into the Christian fold in various ways. They had started their activities and propaganda in 1813 on a large scale and in a systematic way. They established printing presses, prepared grammars and dictionaries and text-books in vernaculars, opened propaganda centres, established free schools, hospitals and dispensaries, for the use of the masses of the people and thus attracted them towards the benevolent aspects of their converting religion. They also attacked and showed the defects of Indian religious and social systems. They looked after and gave solace and comfort to the poor, the ignorant and the socially depressed and boycotted or tyrannised. The effect of these missionary activities and propaganda was that they made the common people dissatisfied with their social and economic condition and conscious of their rights and inclined to conversion. The danger of a wholesale conversion was at that time very great, and the thoughtful adherents of the Vedic religion had to meet this danger to their religion and society by method of revival and reform, by popular interpretation and inspiration of Vedic truths.

The English conquest of India was not only a political revolution. It established a superiority complex of a white western race, and treated all Indian culture and religions as inferior and superstitious. The old indigenous cultures were to be dissolved in course of

time as the classical pagan cultures of Greece and Rome vanished before the onslaughts of Christianity. Thus how to meet this twofold danger, one of foreign religion and its insidious methods of education and conversion and the other of foreign rule and its thorough methods of preading western culture and education was the problem before Indian thinkers. It led to the development of two schools of thought : (1) Revivalists and (2) Reformists, leaving aside those who went over to the other side.

Brahmachari felt himself called upon to meet this danger. He wanted to defeat the activities of the Christian missionaries and to revive the pure Vedic religion and to spread its teachings. He did this by writing books and articles in newspapers in Marathi, by delivering public lectures, by giving private talks and by carrying on open discussions and disputations with his Christian adversaries. He delivered frontal attacks on the teachings of Christian religion and defeated the missionaries with their own weapons. He carried on this struggle for 15 years from 1856 to 1871, and thus stopped the overpowering wave of conversion in Maharashtra. His scene of activities was largely Bombay. He was an attractive and overpowering orator. His speeches were forceful and went straight to the heart of the questions and problems at issue. He travelled over all Maharashtra and gave his original and inspiring addresses on the truth and teachings the Vedic religion. He refuted the attacks of his adversaries in open controversies and discussions and defeated them in argument.

He knew Marathi and Sanskrit well and spoke in Hindi also. But he could neither read nor write English. He had read the Bible in Marathi Translation. He did not found any Samaj or create any particular School of thought. He was however very industrious, self-confident and bold, and his ideas were greatly thought-provoking. He was socially equalitarian, religiously Vedantic, politically socialist, mentally liberal and independent, morally bold and confident and humanitarian.

His constructive work lay in advocating social reform and reconstructions according to the higher teachings of the Vedas. In them he did not have any conception of high or low, or caste systems, or ideas of separation and segregation.

He did not borrow his ideas from the west, but developed them himself by his original and independent interpretation of the Vedic teachings concerning society, polity and religion. They were no doubt new and revolutionary ideas from the orthodox point of view. They are contained in his books (i) *Vedokta Dharma Prakash* (वेदोक्त धर्मप्रकाश)—a book of about 750 pages in simple and vigorous Marathi, meaning "light on Vedic religion" and containing all the



aspects of his forceful thought and teaching, the other was "Concerning the Ideal State" (सुखदायक राज्य प्रकरण) — a small booklet of 15 sections giving his own ideas of a new ideal State. It was written in 1867. His teachings were 'open to all, and all were entitled to embrace it at their option. But he did not create any sect or Samaj for them. His social and political teachings, his philosophy, ethics, ideas of social organisation, and religious ideas, are all contained in the above two books. They may be stated briefly in his own words as follows :

"All men on the earth, including Mlechhas and others, all castes, are certainly fit to receive the true teaching of the Vedas. This is my inspired commandment. Mankind is one. This is true Knowledge. After realising this truth, a Mukta (a liberated soul) should teach others. This will secure the welfare of all". "There are many states in the world, but their rulers who carry on their government do not understand the principles of ideal politics nor the methods of politics which will prevent people from committing offences and crimes. Due to this all the rulers and people—the whole of mankind—are all the time engrossed in cares and are wandering in despair. Thus we find that everybody is unhappy. Therefore rulers follow the political method of "How to rule" as laid down in this book (सुखदायक राज्य), and people should behave in accordance with that political method. This will solve all their worldly difficulties and they will be able to practise devotion to God without any worldly desires to disturb them. This will lead to their realisation of divine truth and of fellowship amongst peoples. Men will develop noble qualities of philanthropy, forgiveness and peace."

"All people are to be considered as one family, and all land and wealth to be of common proprietorship or one garden. Whatever is produced is to belong to all in common. If political organisation is based on these principles, all people would get all enjoyments, all good things to eat, plenty of clothes to wear, and other luxuries and ornaments, all would be able to see dances, dramas, gatherings, all would get good conveyances to ride. Under this system it would be possible for any one to get anything he wanted, and all people would get their desires satisfied. Then there would be no anger because all desires would be fulfilled. When there is no anger there would be no crime committed nor there would be any desire or motive for crime." "Look—all people belong to one family, and the food which is the chief wealth for all is common, and all necessities of life are common. If the government is not organised on this principle all people would commit crimes against one another, cheat one another, kill one another, abuse God, utter in despair 'what to do, how to do'. Several today are troubling others, and are using locks and keys. Some get to eat, and others do not get enough to eat.

This is a deplorable situation. People are dying of hunger and famine. The English, French, Russians, Republican Americans, Chinese, Indians, Central Asians, rulers of Asia, Europe, Africa, and America and all islands of the world quarrel with and kill one another. The main reason for this calamity is that the system of government and its policy considering all people as one—as described above—is not found anywhere in the world. But if it were followed then all people would be happy. The sin of peoples' crimes, misery and poverty rests on the head of the rulers, because their system of government and policy are not based on right principles. Therefore that all people are one should be the aim of politics—political thought and organisation."

"The rulers should take work according to the ability of the people and should look after their maintenance. If all get food and other things to enjoy equally there would be no greed and envy amongst people, and they would gradually give up or lose criminal tendencies." "The ruler, in order that all people should get employment, food and clothing, should start new useful industries at various places, improve old industries, and manage them with the help of organised bodies. Every labourer or worker should be given his fixed wages regularly either daily or monthly." "All people should be employed in cultivating land. Its products should be collected and stored in villages, and food should be distributed according to the needs of villagers and grass according to the needs of cattle. The produce belongs to all, and all should get it. Cloth should be manufactured and stocked in villages and should be given to those who need it. Even ornaments should be prepared and kept at various places and should be available to all those who want them. Similarly weapons, machines etc. should be kept and distributed. There should be railways and telegraphs connecting all places. There should be one granary from which all should take their food. Marriages should be arranged and performed by the matrimonial department of the government. Divorce and remarriage should be allowed by the government. Children under five should be under the control of the government. They should be educated according to their abilities and should be employed according to their merit. In old age there should be no work. Old people should be provided with food."

From these few extracts one can form some opinion about the radical nature of his political and social thought. His ideas are startlingly socialistic and utopian for that custom-loving and tradition-ridden age. His primary inspiration and outlook were based on his understanding of the higher Vedic and Vedantic thought and on his personal life of renunciation and meditation. In India a Sanyasi and a Vedanti can easily develop into an utopian socialist. To a thinker

and reformer of that heritage and devotion the world is one, humanity is one. It is a social fellowship in the pilgrimage to a higher social, spiritual and moral life. His is a renunciation of lower self, of a sense of possession of greed, anger and private property, and is a devotion to God, a service of mankind, and a meditation on fundamentals of good life here and hereafter. If Vedantic thought and Sanyasi mentality and approach to this worldly life were applied to solve the problems of social and political life, it is not difficult for a thinker and reformer possessing that universal outlook and having a realistic understanding of worldly needs and life, to develop a socialistic philosophy and solution of problems of human life. Brahmachari possessed this outlook and mentality. He was not at all acquainted with western literature and the social and political theories of Philosophical radicals and reformers or Utopian and Scientific socialists. Hence there is no question of his borrowing these ideas from them. There was no Henry Vivian Derozio (1819-31) of Hindu College to inspire him in his early life with radical theories of the French Revolution and of democratic liberalism or utilitarianism, of theories of natural rights and reason, equality and liberty, as he did not go to any College or High school. His was a vision of a "Manava Dharma"—a human world order based on Vedantic teachings. His mind was not actuated by any malice, hatred or bigotry. He declared that his own religion was of the Vedas. He was prepared to accept truth from all. He had a pure selfless mind. He was full of future hopes for the welfare and happiness of all the people. But the societies and politics of the time had to be changed radically. What were the causes of their misery, sorrow, poverty and wars. He was in search of it and found it. The causes were the presence of economic want, and the prevalence of private property and unequal distribution of products, the existence of many states, bad rulers and corrupt governments. If they were removed, he believed that injustice and inequality, misery and poverty, anger and crime, quarrels and wars would automatically disappear and there would reign everywhere an empire of peace. He was against social inequality. Every one in society should be treated equally at least in public life and law, where there were to be no high or low. The Vedas did not approve of hereditary castes with their prohibitions on inter-dining and intermarriage. They only recognised functional groups based on capacity for vocational purposes. Rulers were asked pointedly to remember this. Public career was to be open to talent. Public justice was to be impartial, equal and open to every person. Men were children of one God, caste system led to quarrels. He did not approve of untouchability.

All people must feel that the State is theirs and the State must see that all get work and food. It should look after their physical

wants and social welfare. Thus he believed that each man should get according to his needs and that he should work according to his abilities.

His booklet concerning the Ideal State published in 1867 was translated into English in 1869. Ten thousand copies were published. They were sent to members of Parliament in England, and distributed amongst various important persons and periodicals. It was received and criticised adversely at the time. But it did create a stir in the country because of its thought-provoking radical and unfamiliar ideas. Brahmachari laid emphasis first on political reform, then on economic reform and lastly on social reform. Moral reform according to him follows automatically when motives of anger and crime due to unfulfilled wants are removed. Then there would result a good man and an ideal State.

## APPOINTMENT OF GOVERNORS : A SUGGESTION.\*

BY

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In a progressive constitution, even of a non-sovereign country, the selection of the head of the executive is of vital importance. It is more so in Indian Provinces, because the Governors are not the titular heads but the supreme executive functionaries themselves. In the provincial government the ambit of their authority and discretion is vast; the scope of their activities varies from the sphere of advice, influence, and guidance to that of direction, veto and orders. In fact they are the pivots round which the whole structure of Provincial Autonomy rotates. Provincial Autonomy is aptly described as the *Guber-natorial-Autonomy*. The successful working of the constitution, therefore, in a large measure, depends upon the ~~person~~ality and outlook of a governor, or as the Joint Committee on Indian Constitutional reform puts it, on his "Charecter and experience."<sup>1</sup>

There are no statutory provisions regarding the qualifications for a governor and his period of office. The Act merely provides that he shall be appointed by a commission from His Majesty under the Royal sign Manual<sup>2</sup>. However, the custom is that the governors hold office for five years and that they are drawn from two different

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<sup>1</sup> Para 102.

<sup>2</sup> S. 48.

cadres. In case of Non-Presidency Provinces, ever since the province of Agra was formed in 1834, they are selected from the Permanent Civil Service, except in 1920, when Lord Sinha succeeded to the governorship of the newly-created province of Bihar and Orissa. For the Presidencies, they are imported from British Public life. The appointment in the former case, subject to the seniority rule, is the prize of the Governor-General and the Secretary of State; while in latter case it is primarily the gift of the Secretary of State and the British Prime Minister.

Efficiency and ripe experience in administration are the criteria of the present system of appointment of the governors in Non-Presidency Provinces of India. Senior Civil Servants, who have grown gray in the civil and military service of the Crown in India are elevated to this exalted post. In fact, this is the prized-office for the European veterans of the Civil Service; for besides the authority and dignity that it commands, it lends them opportunity, towards the close of their official career, to live in imposingly grand Government Houses in style and grandeur envious of Moghal Nawabs.

The Simon Commission expressed its great satisfaction and delight in the fact that very distinguished and able administrators have so far occupied the Provincial Gaddis<sup>3</sup>. The Joint Parliamentary Committees on Indian Constitutional Reforms felt confident that Indian Civil Service shall continue to be the spring-head of equally notable and great administrators<sup>4</sup>. It is true that the incumbents of these august offices have proved themselves administrators of mettle, but it is seldom that they have proved themselves good statesmen and wise and benevolent rulers. Metcalfe, Elphinstone, Cottons, Lawrence, Birds etc., are honourable exceptions; people who knew and loved and ruled India for her own good. The average is more of an emulator of the immortal Joe sedlay,<sup>5</sup> as K. T. Shah puts it, than of the former. Product of bureaucracy as they are, they remain the prisoners of bureaucratic traditions and impulses—conservative, rigid, tradition-ridden, and alien. The tradition and atmosphere, the security and high salary, the authority and prestige which the civil and military services in India command, make their members class-conscious, complacent, unprogressive, and narrow in outlook. This man, I. C. S., who is intoxicated with power and lives in an exclusive atmosphere of snobbery and flattery, with his obnoxious prejudices and antipathy gained during his varied and shifting roles in India, is a phobia to progressive and Political India. The word I. C. S., to an Indian epitomises “reactionary”, “anti-national”, and “unsympathetic”.

<sup>3</sup> Para 165, Vol. I.

<sup>4</sup> Para 102, Vol. I.

<sup>5</sup> *Provincial Autonomy* by K. T. Shah, p. 67.

The cases of inadaptation on the part of these public ruling officials rather than public servants to progressive political order in India are too numerous to generalize them in a rule. The disclosure by men like Mr. Kelkar, Chintamani, and Harkishan Lal may be remote from our memory ; but the recent cases in times of Congress ministries, like that of Mr. Cunningham's insolence, and obstinacy in Madras and the 1938 circular of the Chief Secretary of the United Provinces, together with the general and open complaint made by Pt. Jawahar Lal Nehru and Khan Abdul Gaffar Khan, all exhibit the perverted mentality of these high-placed services.

To saddle European I. C. S. man on the Provincial Executive for working Autonomy, therefore, is to prejudice its progressive run. To become constitutional for a trained-bureaucrat, hardened into autocracy by his office, is to expect too much of elasticity in human nature. Their very experience, says Mr. Masani, is "a hindrance to their performing the Governor's function with an open and responsive mind, that the prejudices and partialities they are bound to have contracted during their long years of service would be a handicap to them and that, above all, the fact that they belong to an economic group with its own vested interests *vis-a-vis* the people and the responsible ministers should rule them completely out of court".

The nature of the role, which an I. C. S. Governor is likely to play in the working of the Indian constitution may be easily gauged from the personnel of the existing Governors and the type of administrative and parliamentary experience which they possess. Two <sup>7</sup> of the existing Governors in the Non-Presidency Provinces have passed their service-lives in the Presidencies and in the Foreign and Political Department of the Government of India—places where contact and touch with Indian life is utterly impossible. The other three <sup>8</sup> had exhausted their careers in the provincial administration and the secretarial posts in the Departments of the Government of India. They have no substantial parliamentary experience and can claim at the most a warped and narrow view of Indian life as could be gained through their official positions. One <sup>9</sup> of them had been a Reform's Commissioner with Government of India ; as such, could have had no direct touch with Indian society, although he may be possessing theoretical knowledge of some of the constitutional and political problems of India. Two <sup>10</sup> of them stepped out from the Governor-General-in-Council. As such they may be credited with

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<sup>6</sup> *India's constitution at work* by Chintamani and Masani, p. 47.

<sup>7</sup> Sir Bertland J. Glancy (Punjab) and Sir George Cunningham (N. W. F. P.)

<sup>8</sup> Sir Maurice G. Hallett (U. P.), Sir Haury J. Twynam (C. P. and Berar), and Sir Hugh Dow (Sind).

<sup>9</sup> Sir H. Lewis (Orissa).

<sup>10</sup> Sir Andrew G. Clow (Assam), and Sir Thomas A. Stewart (Berar).

having some contact, though through legislature, with political India. But the way in which the members of the Governor-General-in-Council are apt to defend the irresponsible executive and the habit which they develop of grossly disregarding the wishes and opinion of the representatives of the people and disrespecting their verdict, only harden them into cold-blooded bureaucrats, deaf to all popular opinion in India. Out of these eight only two had been posted in the provinces in which they had previously spent a large part of their official life.

The actual working of Autonomy in several provinces is in itself an open indictment of the I. C. S. rule. The Governor's frequent and active interference, with or without the knowledge and consent of the ministry, is mild and common a tale. But the events leading to the dismissal of Mr. Allah Bux, and the installation and maintenance of governor's self-chosen ministries in Orissa and N. W. F. P. reveal the height of political blackmailing and constitutional perversion. The present history of the dictatorial regime of the governors in India is a painful and pathetic story of the blackest tyranny. Ruthless suppression of the rights and liberties of the people, the Europeanization of the government, and the depopularisation and degeneration of the administration are some of the patent features of the non-Indian gubernatorial Autocracy. The force of Autonomy is laid bare by O'dowyer's hand, which rules India under the Amerasian mask. Even before the war had started, the administration in these provinces had undergone a radical change in spirit and atmosphere. Social and popular programme and measures of the Congress governments like the Vidya Mandir Scheme and Prohibition had waned and instead the police and revenue-collecting functions had waxed.

The basis of appointment of the governors in the Presidencies is somewhat better in the sense that they are selected from the public life in Great Britain. They are supposed, as such, to be more flexible and open-minded than the experienced administrators in India, more amenable to democratic process and traditions, and, therefore, more suitable to be the rulers of these historic Presidency-provinces. But in actual practice really good statesmen from United Kingdom, who love and know India are seldom chosen, or the office seldom attracts them. The choice is generally made from the trusted lieutenants of the party in power, who have to their credit some useful service to their party, either as a whip or an assistant whip, or a Parliamentary secretary or Parliamentary Personal secretary of a ministry. Not knowledge or sympathy, administrative acumen or political sagacity, but the dogged sense of duty, or a convenient docility is sought for as the qualification. So in India we import second-rate politicians,

<sup>11</sup> Sir Hugh Dow (Sind) and Sir George Cunningham (N. W. F. P.).

belonging to aristocratic or bourgeois families, who have 'outlived their season of direct usefulness to their party'<sup>12</sup>, but none-the-less, possess the goodwill of their bosses.

A glance at the incumbents of these offices since the inauguration of provincial Autonomy in India, will easily bear out this fact. In Bengal there had been two governors : Lord Brabourne and Sir John Arthur Herbert. Before becoming the governor of Bengal in 1933, the former was a conservative M. P., had served as a Parliamentary Private Secretary to the Secretary of State for India in 1932-33 and his name was thrice mentioned in the despatches during the last war. The latter too belonged to the conservative Party, was A. D. C. to Viceroy during 1926-28, Parliamentary Private Secretary to Parliamentary Secretary (Admiralty) in 1935 and to the Under Secretary of State for India in 1936, and before assuming office was acting as an Assistant whip of his party. Sir Lawrence Roger Lumbley was the Governor of Bombay since 1937. He was a Conservative M. P. during 1922-29 and 1931-37. Madras had two Governors : Lord Erskine and Sir Arthur Oswald James Hope. The former was an Assistant Private Secretary to the First Lord of Admiralty during 1920-21, the Parliamentary Private Secretary to the Post-Master-General in 1923, the Principal Private Secretary to the Home Secretary 1924, and before coming over to India, was acting as an Assistant Government whip in the National Government in 1932. The latter was a conservative M. P. and had acted as a Parliamentary Private Secretary to the Secretary of Mines during 1924-26, as an Assistant whip in 1935, as a Lord of the Treasury during 1935-37, as the Vice-Chamberlain of H. M. Household, May-October 1937, and as the Treasurer of H. M. Household during 1937-39.

During the War, the practice has been altered to suit the exigencies of the War. Men who are qualified to harness the entire political and economic administration to the needs of the war, are chosen as governors and governors-general of India. The War Cabinet has recently become a spring-board for the governorship in India. Viscount Colville the present Governor of Bombay, was a member of the War Cabinet. Mr. Richard Casey, the Governor of Bengal is an Australian and was the Minister of State in the British East. In both the cases the incumbents are altogether ignorant of the Indian conditions and its affairs, and the latter in a public declaration had already admitted the fact. This departure from usual practice has, therefore, nothing to do with the political interests of India. The only consideration that now weighs with the British authorities is the efficient conduct of War preparations and operations.

The civilian European Governors have proved no exceptions. Provincial Autonomy in their hands has met its worst fate. Besides

<sup>12</sup> *Provincial Autonomy* by K. T. Shah. p. 65.



the ugly features common to all governor-ruled provinces, Bengal, where Autonomy is still functioning, has seen the worst of constitutional monstrosities. The establishment of a parallel government, the events leading to the resignation of Dr. Shyama Prasad Mookerjee, and the "disguised" dismissal of Premier Fazlul Haq, the enthroning of the Muslim-League ministry, and the circumstances resulting in the outbreak of the famine, are some of the heinous constitutional crimes and political frauds, which are unparallel in the modern constitutional history.

The present system of appointment, therefore, is defective both in theory and practice. The non-Indian Governors, whether drawn from the Indian Civil Service or the British public life are temperamentally and politically unfit to pilot the ship of Autonomy. None else than non-partisan Indian statesmen, with liberal outlook and parliamentary experience, can become the shephard of the provincial executive in India. It is unfortunate that the Joint Parliamentary Committee turned down the unanimous demand of the Indian delegates to choose governors from the public life in India. Members of the Royal Family or of the rulers in Indian states are as unqualified and unsuitable as any other European is.

Of course, mere Indianization of the governorship will not by itself democratize the whole structure. But by removing an important stronghold of bureaucracy and reaction, it can assure the progressive functioning of the provincial constitution. With the process of Indianization the tone of public administration is bound to improve. It shall tune up the public services and thus infuse a better spirit in the whole administration. It shall remove misgivings regarding the safeguards and special powers of the governor and make their abuse less frequent. However, humble, meek, and reactionary an Indian Governor may be, he can never dare rape the constitution in a way as it was deliberately done in Bengal, Sind, N. W. F. P. and Orissa.

In order to secure the appointment of an able, just, and a non-partisan Indian statesman, who can command the confidence of the various communities, the following method of selection is commended for immediate adoption :—

- 1 (a) The Selection of the Governor of a province should be confined only to a person belonging to Indian Public life.
- (b) Candidates should be broad-minded persons, preferably well versed in Parliamentary life, but essentially non-partisans.
2. The appointment may be made by the Crown on the advice of the Central Government provided, however, that if there

is a mutual agreement amongst the major communities, as represented in the Provincial Legislative Assembly or Assemblies of a particular province, to rotate the office amongst them, in turn, the appointment may be made by the Crown on the advice of the Central Government, which shall choose one of the four names suggested by the Provincial Government concerned.

The merit of this scheme is that it can be put into practice without effecting any change in the present constitution. This conventional development will not be a new feature for it is through such conventions that the Dominions set up the practice of selecting their own countrymen as the Governors and the Lieutenant-Governors. The joint consultation of the Central and the Provincial Governments will ensure the ability and integrity of the person chosen for the post. The existence of an agreement among the various communities will remove the genuine fears of the minority communities, and thus provide a harmonious basis for the working of the scheme. The success which this kind of fact has achieved at Bombay in the election of its mayor, is a pointer to its workability.

Another advantage of the scheme is that it can continue even when India enjoys the Dominion status. What system there should be in case India evolves a different type of constitution, it is too much to speculate at present. This suggestion commands a better prospect in India because methods like the direct election, election by legislature, election by electoral college, are likely to result in the election of a strong party leader. Some safeguards, in view of the conditions prevailing in India, are bound to exist for a long time. To make an acute partisan as the custodian of those safeguards, is, therefore, to mar the balanced and progressive functioning of the parliamentary government in India.

## SOME SUGGESTIONS FOR REFORM OF THE INDIAN PUBLIC SERVICES \*

BY

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The Indian public services can be classified into three major categories :

I. "services of the Federation, and posts in connection with the affairs of the Federation." Recruitment to these services and their

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conditions of service are to be regulated by the Governor-General. Since the Federation has not been established, there do not exist at the present time any Federal services but there exist only the former Central services which run the departments directly under the Central Government *e. g.* the Customs Department, the Archaeological Department, the Posts and Telegraph Department.

II. "Services of the Province, and posts in connection with the affairs of a Province". Recruitment to these services and their conditions of service are regulated by the Provincial Governments. Since most of the administrative work is carried on by the Provincial governments, the great majority of public services belong to this category.

Each administrative department of a Provincial government has three or four grades of services named after the department *e. g.* the Police service, the Educational service, the Engineering service. The highest grade of these services are called "Provincial", *e. g.* the Provincial Civil Service, the Provincial Police service or the Provincial Educational service.

III. There is a third class called "Services recruited by the Secretary of State", more commonly called the All-India services since they are recruited by the Secretary of State on an All-India basis and their members are liable to service in any part of India though normally they remain in the Province to which they are assigned in the beginning of their career. The services comprising the category are the Indian Civil Service, The Indian Police, The Indian Medical Service (civil). They work under the Provincial governments but their conditions of service are regulated by the Secretary of State.

The main question relating to the classification of the Indian public services has been that of the desirability of the All-India services recruited by the Secretary of State. Their continuation is both unnecessary and anomalous, and the anomaly increases with the progress of responsible self-government. Under the Government of India Act of 1935, the Provincial Governments have been given a very large measure of autonomy but they have little control over the conditions of the All-India services working under them. The British-India Delegation in their Joint Memorandum to the Joint Committee on Indian Constitutional Reform 1933-34, emphasised "that future recruitment by the Secretary of State of officers who serve a Provincial Government is incompatible with Provincial Autonomy, and that the All-India Services ought henceforth to be organised on a provincial basis and recruited and controlled exclusively by the Provincial Governments."<sup>1</sup> But such a reasonable view could not be accepted.

<sup>1</sup> *Report of the Joint Committee on Indian Constitutional Reform (1933-34 Session) Vol. I p. 182.*

However the number of the All-India services has been reduced and a policy of provincialising them has to an extent been carried out. The question was examined by the Royal Commission on the Superior Civil Services in India, 1924, and on its recommendation further recruitment to All-India Services serving in the Transferred Departments of Provincial Governments, with the exception of the I. M. S. (Civil), was stopped, and control over them was transferred to the Provincial Governments in 1926. Before the passing of the Act of 1935, there were five All-India services; the I.C.S., the I.P.S., the I.M.S., (Civil), Irrigation Branch of the Indian service of Engineers and in all provinces but two, the Indian Forest Service.<sup>2</sup> Under the Act of 1935, the Secretary of State makes appointments to the Indian Civil Service, the Indian Police, the Indian Medical Service (civil), and has reserved powers to make appointments to posts concerning irrigation in any Province, "for the purpose of securing efficiency."<sup>3</sup>

The chief reason advanced in justification of the continuation of All-India services is that recruitment by the Secretary of State on all-India basis is the only way to secure the best type of persons. But the argument is not convincing because even if recruitment for securing officers for the highest posts in the various Provincial departments must be on an all-India basis, it need not be undertaken by the Secretary of State and need not imply the classification of such officers into a separate category of services whose conditions of service cannot be regulated by the Provincial Governments under which they must serve. The existing All-India services must also be provincialised. If it is only a question of recruitment on an all-India basis, that can be secured by the Provincial Governments acting jointly through the Federal Public Service Commission. This method was recommended by the Joint Parliamentary Committee for recruitment to the Forest service which it said should be provincialised.<sup>4</sup> The real reason, perhaps, is that Englishmen will not enter the services unless the English Secretary of State retains powers of regulating their conditions of service on the pretext of being the appointing authority, and it is an essential policy of the British Government to secure the recruitment of an English element to the most important branches of administration.

## II

The appointments to the Indian public services are generally made on the basis of the results of competitive examinations conducted by Public Service Commissions or by the Secretary of State in

<sup>2</sup> *Report of the Indian Statutory Commission* Vol. II p. 286.

<sup>3</sup> Sections 244, 245 Act of 1935.

<sup>4</sup> *Report of the Joint Committee* Vol. I P. 187.

England. At the present time the examinations involve a great waste of national energy. There is a separate examination for recruitment to each grade of a service and the number of candidates appearing in each is too large when compared to the number of vacancies to be filled. Something must be done to decrease the number both of examinations and candidates. One possible way is to hold a common examination for recruitment to two or three grades of a service for which very much the same qualifications are required, with a few additional papers for the candidates for the higher grades. Thus the results of one examination can be put to greater use. The number of examinees can be restricted by raising the standard of qualifications required of candidates, and by a preliminary scrutiny of the academic record of the applicant as well as an interview. Perhaps something of the kind is being done in the U.P. to restrict the number of candidates for the I. C. S. examination.

At present, the examinations are not as open and competitive as they can be. The candidates, especially for the higher services, are required to pay very large fees and several persons are likely to be prevented from appearing by reason of their poverty alone. The proportion of marks assigned for the *viva voce* tests is generally very high, too much importance is laid on the personal factor and a great discretion, sometimes decisive, is vested in the hands of the interviewing body.

One very undesirable feature of the existing system of recruitment is the reservation of posts for candidates belonging to particular communities. Usually it is in the Executive and the Legislative that the relative political influence of different communities or races is adjusted. It is difficult to find a parallel to the Indian system of guaranteeing representation to various communities in the administrative machinery. Public offices should, of course, be open to members of the communities, and membership of a community should not be a disqualification for holding any public office. When a definite number of posts are reserved for candidates of a particular community, the candidates belonging to other communities are, regardless of their merit, disqualified for them. Thus the system of reservation of posts on communal grounds is a limitation of the principle of appointment by merit. It is harmful in other respects also; it must tend to develop communal consciousness among public servants and to perpetuate the backwardness of the communities for whom posts are reserved.

### III

As regards qualifications of public servants, general education is mainly relied upon, though candidates for specialist posts or technical departments such as engineering or medical, are required to have special qualifications. The public servant receives little special

training either before or after the appointment, except in the case of a few of the highest services such as the I.C.S. Besides a fair standard of general education, all public servants should undertake a special course which must include a study of the principles of public administration, the general outlines of the special sciences and of the more important law codes. They may be required to go through such a course before their appointment or during the period of probation. It would give them a better outlook and therefore lead to greater efficiency. Such courses may be provided by the Indian universities or by special academies such as the Civil Service Academies of pre-1933 Germany.<sup>5</sup>

#### IV

The promotion to higher posts is made on the basis of seniority mainly, or according to the rather arbitrary decision of the head of the department. There is also a system of service books in which superior officers can enter their remarks. But there is no system of regular ratings or test as is prevalent in Australia, or the U. S. A. or as existed in pre-1933 Germany; nor is there any system of annual reports about the personality and efficiency of the public servants and promotion boards as was enforced in England on the recommendation of the Promotion Committee of the National Council for the Administrative and Legal Departments of the Civil Service.<sup>6</sup> There should be in India a system of promotion lists prepared on the basis of regular report and ratings, and promotion should be made on the basis of a competitive test of the first few servants on the promotion list. The test should be conducted by departmental bodies and in the case of very high posts, by the Public Service Commissions. Such measures would insure that promotion shall not be made simply according to seniority and that efficiency shall obtain due recognition.

#### V

Generally, legal guarantees are provided in the various states of the world for the fair enforcement of the conditions of service of the public servant. In India, however, particularly in the case of the highest classes of her Public services—those recruited by the Secretary of State, constitutional guarantees are provided. The Indian constitution says that the Governor-General and the Governors must hold the rights and interests of the public servants as their special responsibility and the Governors are instructed to protect them against any action that the Governors may consider inequitable; the remuneration of those recruited by the Secretary of State is not subject to the vote of the Legislatures and disciplinary action against such public servants can

<sup>5</sup> White; *The Civil Service in the Modern State*, p. 488

<sup>6</sup> White; *The Civil Service in the Modern State*, pp. 111, 207, 417, 53.

be taken only by order of the Governor-General or of the Governors acting in their individual judgment.<sup>7</sup> Behind the guarantees given to the services in other states, there is no intention of placing the interests of any class of public services above the authority of the elected legislature and responsible ministers, in sovereign states that simply cannot be. In the case of the higher Indian services such constitutional guarantees are considered necessary for securing a European element for which the services would otherwise not be attractive enough.

Trusting the Governor-General and Governors, in their individual judgment for the protection of the rights of the services, is openly distrustful of responsible ministers and is likely to undermine the discipline of the services. It would be much better if the protection of the rights of the public servants were entrusted to special disciplinary bodies which would enquire into any grievances of, as well as complaints against, the public servants. These bodies may consist of representatives of the services, the Government and a judicial officer. They would be somewhat like the Whitley Councils of England, the Disciplinary Councils or Committees of Belgium or Japan, or like the public service arbitrator of Australia.<sup>8</sup> This change could be easily introduced, if there were no political considerations in the way.

It is hoped that the introduction of these changes will improve the efficiency of the public services and public administration in India.

## INTERNATIONAL SECURITY ORGANISATION AND INDIA.\*

BY

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The great powers of the world have met at Dumbarton Oaks in U. S. A. and have tried to decide the fate of the vast number of human beings living around and beyond the Atlantic Ocean by devising the machinery of future international peace. China, the only Asiatic and coloured 'Great Power', has blessed the proposals and the white world has been gratified to hear that the arrangements devised at Dumbarton

<sup>7</sup> Sections 12, 52, 247, (4), 248 of the Act of 1935 and the Instrument of Instructions to the Governors.

<sup>8</sup> White, *The Civil Services in the Modern State* pp. 24, 26, 298, 552, 119.

\*A paper submitted to the Indian Political Science Conference, Seventh Session, Jaipur, January, 1945.

Oaks about world order are such as an Asiatic country of her greatness and importance can accept. The reactions of the rest of the world, particularly the coloured world, which has to live under this new dispensation, have never been invited. If they have been, by means unknown to the rest of the world, they have not been studied in public or have been silently ignored. It is possible that the prime minister of Egypt—the new centre of the Islamic world, and some of the Indian Executive Councillors have been consulted through the usual channels, but, it so, they have not taken their country-men and their national press into their confidence in the same way as the Americans, Russians and the British have done. The Indian Legislative Assembly in its November session was so absorbed with the domestic problems of food, civil freedom and petty communal and commonwealth issues that it had not the time or, perhaps the vision, to ask for information and discuss the momentous problems arising from the decisions of the Dumbarton Oaks Conference. The future of our national life, even in the narrow domestic sphere, will depend so much on the political actions and economic policies of the Great Powers that it is surprising that no other public man in India except the Right Hon'ble Srinivas Shastri should have cared to notice these conference decisions. The future of the Bombay Plan and of our relations with the members of the British Commonwealth ultimately hang on the sort of the world security organisation and the scheme of international economic cooperation under which we may have to work. With the phenomenal growth of communications, the world has shrunk so much and economic action has become so all-pervasive that any future national or provincial plan will have to be adjusted to the Master Plan for the government of the world. If India cannot at present influence its making, it can at least discuss it, make its opinion heard, unless it is to lay itself open to the charge in the future of having acquiesced in it. As the custodian of the interests of the major portion of the coloured world comprising Hindus, Muslims Christians and Buddhists of India, Africa and South East and North West Asia, it cannot leave its wishes to be interpreted exclusively by Russia and China.

2. The machinery proposed at Dumbarton Oaks is not fundamentally different from that of the old League of Nations. The organisation's ostensible objects are the same—the preservation of the peace of the world. Unfortunately its view point also remains the same—the preservation and consolidation of the ascendancy of the Atlantic nations, specially of the great powers, over the rest of the world and therefore its problems and difficulties are substantially similar. The only difference lies in the methods adopted to achieve its ends. It is said that the new league will be a league with "teeth" in it. Even the 'teeth' were provided in the shape of military and economic sanctions—in articles XVI and XVII of the League covenant. The only drawback, however, of the old League was that



while the Great Powers were ready to threaten such small countries as Greece, Bolivia etc., they could not be induced to use their 'teeth' against each other or against powerful countries like Japan and Italy. This difficulty of inducing the great powers to act in really crucial cases, as I shall explain later, still remains. The dependence however of the new security organisation on mere force and other physical sanctions, and less on public opinion and the moral conscience of the world, has already created important differences in the method of approach to the problems of world-peace which are bound to affect its chances of ultimate success. Wilson's League of Nations was heralded by a fanfare of publicity and popular discussion about a new Golden Age, in which righteousness and justice will prevail. It was not without significance that the League's constitution was thrashed out in a great popular centre like Paris by the new methods of open diplomacy. On the other hand, the new organisation has been conceived by the discredited methods of secret diplomacy in an obscure corner of the New World of which the Old World had heard nothing until it was mentioned for the first time in the Press. Another important difference is that the war has not yet ended as it had in 1919, so that the new proposed organization represents the views of conquerors instead of world peace makers. The passion and the din of war have not yet subsided. The delegates who sat round the table at Dumbarton Oaks were clad in armour and khaki and did not wear on their brows the laurels of peace and victory.

3. In this respect and also in the important fact that most of the nations concerned—great and small—have not been consulted, the new League resembles more the Holy Alliance of 1815, in which Russia played as decisive a part as at the Dumbarton Oaks' conference, than the League of 1919. The latter had at least the appearance of being a democratic league based on self-determination and renunciation of annexations and indemnities, while the Holy Alliance and the proposed League resemble each other in being autocratic in their inception and objects. The modern version, as may be expected in the present world, has of course reached a higher plane of detail and organisation but that only makes it more suspect to nations and communities which are not convinced that the spirit of the conquerors has changed and are afraid that it may be used for exploiting the weaker and backward races of mankind. It will be interesting at this stage to recall the aims and objects of the Holy Alliance as propounded by the Alexander I, the romantic and idealistic Czar of Russia—and the precursor of Woodrow Wilson. It is a symptom of the prevailing cynicism that no such idealist has appeared on the scene during the present world war and, if President Roosevelt, after his enunciation of the Atlantic Charter, is called one, it must be remembered that as the war has advanced, its ideological character has changed and the ideals of the Atlantic Charter itself have faded in the very land of its

birth *viz.* America, while Mr. Churchill never seriously accepted them.

4. Stricken by grief at the appalling carnage and bloodshed of the Napoleonic wars, of the same kind which 2000 years earlier affected Asoka after the Kalinga War, the Czar Alexander invited his brother sovereigns of Austria, Prussia and Great Britain and others to declare their intention of establishing their mutual relations on 'the sublime truths of the religion of God our Saviour' and of taking as the basis of their internal and external policy the principles of justice, charity, and peace. Princes were henceforward to regard each other as brothers and their subjects as their children; and the nations of Christendom were to be one family bound together by the principles of mutual succour. The proposal was greeted with loud praise and secret laughter but such was the prestige of the Czar that it was signed by all with or without mental reservations. Its influence on subsequent events was marked. The idea of a concert of Europe, thus born, has had various vicissitudes in the course of a century but has never altogether disappeared from the minds of European Christian nations. Arising as a principle of lofty idealism in the sensitive mind of an autocrat, it was viewed in different light by different men. It was significant that the Dominions of the Sultan of Turkey which were coveted by Russia were excluded from the scope of Christian guarantee and peace. The Alliance was therefore viewed at the very outset with suspicion by Austria whose interests in the Balkan region were in sharp conflict with those of Russia. It was later used by Metternich the Austrian Chancellor as an instrument for preserving the ascendancy of his country and bolstering reaction and as such was disliked by England and France—the liberal powers of the west. England, for commercial reasons of her own, was particularly interested in the successful revolt of the Spanish colonies in South America, though it went directly against the principle of peace and legitimacy to which she had subscribed. The 'Alliance' therefore ultimately broke on the rocks of colour, religion and the divergent economic and political interests of the Great Powers. The Balkan question which has troubled the peace of Europe for more than a century would never have arisen if religion, colour prejudice and political interest had not combined to exclude Turkey from the scope of the Holy Alliance. The 20th century successor of the Alliance—the League of Nations foundered more or less on the same rocks. Nominally the League embraced the whole world, because what began as an ideal principle of international conduct had in due course become an economic necessity, but in essence and organisation, it was not much more than an instrument of European Christian nations to preserve their peace and their ascendancy over the coloured, non-Christian world. It differed from the old Alliance in that it included the new white Christian Atlantic

Communities of America. Nominally, it included Japan, China, Iran and India and, later, admitted Turkey, Abyssinia, Iraq and Afghanistan, but all these were given entry on terms which bore no relation to their population and their economic and cultural importance in the contemporary world. The League at no time appealed to Asia and Africa and when it was in its later stages skilfully used to conserve the British and French Empires and preserve their ascendancy in Europe at the expense of Italy, Germany and Russia, it lost the little moral influence it possessed, until it disappeared altogether in the convulsions of the Abyssinian, Chinese and Polish wars.

5. As the immediate and political object of the Holy Alliance, supported by its steel frame the Quadruple Alliance consisting of Russia, Austria, Prussia and Great Britain was to keep an eye on Revolutionary France, so the immediate practical aim of the Dumbarton Oaks conference is to control Nazi Germany and Japan. Since Russia has suffered more than any other country from its aggression, its attitude at the conference was more practical and less coloured by idealistic considerations of world-peace and universal disarmament. In fact the last has been generally given up as an instrument for securing world peace. The peace which will therefore emerge will not be a peace of consent based on the moral conscience of the world but an imposed peace backed by force. Probably the only country in the world which still champions the idea of a non-violent peace is India of Mahatma Gandhi and Right Hon'ble Mr. Srinivas Shastri. The latter still believes in disarmament but I am sure both will be dismissed as unpractical idealists lacking in the realism of the modern world. The experience of the world Disarmament and Economic Conference has shown that it is difficult to persuade any nation to disarm itself voluntarily. If force alone is used by the conquerors to carry out the unilateral military and economic disarmament of aggressive nations, it is not certain that the conquerors themselves will not become aggressors. The past experience of Asia and Africa, which have been practically disarmed by European nations, should justify the world's distrust of such a solution. It is also not certain that force will last long enough to make the world permanently peaceful otherwise the Roman peace would have endured. Rousseau pointed out, long before Mahatma Gandhi, that might cannot be the basis of right as no force can last long enough to be permanent. It is only when might converts itself into right that a basis of durable peace can be established. No military or economic disarmament can therefore succeed unless it is preceded by a moral disarmament *i. e.* a re-education of the whole world in the spirit of Asoka's teaching that the only true conquest is the conquest of the Moral Law.

6. Viewed from this ultimate and ideal stand point, the proposals of the Dumbarton Oaks Conference are unsatisfactory. The

immediate question however is whether, in a period of transition during which might may be transformed into right, the proposals provide a practicable alternative. What chiefly differentiates the old League from the new, in the matter of means as distinguished from ideals and ends is the specific provisions now made for keeping a permanent air force ready for keeping the world peace. It implies the mutual distrust of the Great Powers that the air force is not an international air force directly recruited but one consisting of contributions received from the constituent states. This force will be placed at the disposal of the Security Council and it is therefore provided that the council should be in continuous session and that it should be advised in all military matters by a committee of the Chief of Staffs of the *major* powers. The crucial question is as to which countries will be classified as *major* powers and whether India or the Islamic world will be included in that charmed circle. By definition alone, India or any Islamic country will not be treated as a major, much less a great power as they have not the necessary military and economic strength to be given that title. It is further pertinent to ask whether this military force can ever be used against a Great Power itself. On that question no answer is forthcoming as the Great Powers have not yet defined precisely the powers and functions of the Council—the supreme organ of the Security Organisation. But it is well known that Russia which, warned by past experience, probably suspects a possible future combination of U. S. A. and U. K. against herself insists on a unanimous decision of the three great powers of Russia, U. S. A. and U. K. before any military action is taken against any one of them. The respective attitude of U. S. A., specially in matters affecting its relations with South American states, which come within the scope of the Monroe doctrine and are even described by some writers as the new American Commonwealth, and of the United Kingdom in matters concerning its relations with the British Empire, particularly India, is not dissimilar though not identical. In other words, the Great Powers which are preaching to China the necessity of placating the Communists of the North West and to India the similar necessity of conceding Pakistan, claim the right of an absolute veto over military action directed against themselves, if any one questions their continuous and continuing economic aggression against their dependencies or neighbours.

7. It is in the light of this crucial difficulty that the ideal of the new League as embodied in its proposed constitution will be found most defective. That constitution provides a General Assembly of all the United Nations with equal representation (enemies and neutrals have been excluded for the present) to which new members may be admitted by a two-third majority, but power resides with the council which has 4 or 5 permanent seats for Great Powers like U. S. A., U. K., Russia, China and, in due course, France and six

temporary seats to be scrambled for every two years by the rest of the world including such large units as India and the Islamic world. There is the old Secretariat and the permanent International Court of Justice but there is also an additional organ in the shape of an economic and social council which will direct the social, economic and humanitarian tasks of the New League, including perhaps the work of the International Labour Office. Another new feature is that the new organisation does not preclude the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action. The Security Council can utilise this regional machinery for its own purpose and act independently in its own exclusive sphere. Presumably India and the Arab world will be included in the regional arrangement known as the British Commonwealth. The League does not guarantee the territorial possessions and political independence of any state. The Council will be the sole judge of the aggression of any state and the means taken to prevent or punish it. Therefore its powers and *modus operandi* are important. It is proposed to replace the old rule of unanimity amongst all council members before any action can be taken by the Council by another which has been left over for subsequent discussion as the U. S. A., U. K. and Russia cannot see eye to eye on it. The British and American governments have proposed, that in determining and combating aggression, the Council should decide by a majority vote, provided (1) *none of the Great Powers are in the minority* and (2) no vote is given to any power accused of aggression. In other words, the unanimous vote of the Great Powers is still regarded as a necessity. Only the Small Powers have suffered. Russia goes further and objects to the second proviso altogether *i. e.*, it wants to be the sole judge of its own actions in *theory as well as practice*. U. S. A. and U. K. will also be their own judges in *practice, if not in theory*. as the power of the League to punish aggression will depend almost entirely on the military power which these countries are prepared to place at its disposal. China and France do not and, for sometime to come, cannot come in the same category. It appears that India and the Muslim world do not appear anywhere in this picture except as dependent clients in a regional arrangement.

8. This is not a satisfactory arrangement for either of these important units comprising about half the world population. Isolation under these circumstances may be more desirable than international cooperation, as cooperation without any effective or just share in the world control may result only in exploitation. But isolation in the present narrow world is hardly practical politics. The only other alternative for India and the Islamic world is to cultivate such internal, economic and political strength and mutual solidarity that they may be able to influence effectively the counsels and actions of the proposed

World Authority, not only for their own benefit, but for the emancipation of the rest of the enslaved world. The means for the attainment of this object are either to enter the British Empire on such terms as to transform it into a real Commonwealth for its coloured and non-christian as well as its white and christian inhabitants or to set up a new commonwealth of all the states abutting on the Indian Ocean *viz.* India, Burma, Ceylon, Iran (land-locked Aghanistan and Nepal will also have to be included), the proposed Arab Federation including Egypt, Abyssinia, East Africa, Malaya, Siam, Cochin, China, Java and the other Dutch East Indies. Mozambique, Madagascar, Rhodesia and South Africa can join later if they choose to give up their exclusive white policy. This new commonwealth which may be called the Indian Oceanic Commonwealth consisting as it will mostly be of practically weak and non-sovereign states, will act as a sort of co operative union to protect the weak and exploited nations of the world against the strong, and its united voice should ensure for it and the rest of the world the justice which should be the cornerstone of any world organisation. Its organisation will remove one of the greatest causes of World Wars—the temptation which weak and backward areas of the world provide to the great powers for their exploitation—and will also ensure the fair and equitable distribution of the raw materials provided by these areas and needed by the manufacturing countries of the world. Instead of the resources being owned by any outside power, they will be worked by the inhabitants who own them. Then alone will might be right and right will be transformed into might.

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## REVIEW.

### FIVE YEARS OF PROVINCIAL AUTONOMY IN THE PUNJAB 1937-42

(published by the Director, Information Bureau, Punjab).

The Unionist Government in the Punjab has issued a review of the first five years of the working of provincial autonomy in the province under its auspices. The pamphlet is 79 pages in length, and has a couple of appendices, the first giving the personnel of the Punjab Government during this period and the second containing an exhaustive list of the legislative measures passed between April 1, 1937 and March 31, 1942. The review itself is divided into two parts, the first describing the special characteristics of the Province and the ideological basis of the Unionist policy, and the second surveying in a summary form the achievements during this period of five years in the domains of education, medical public relief, health, agriculture, veterinary services, forests, irrigation industries, public works, hydroelectric schemes, colony administration, panchayats, co-operation, jail administration, uplift of criminal tribes, excise, land records, consolidation of holdings, taxation, and registration.

The achievements of the Ministry have been thus described in a press note issued by the Information Bureau. "These include the measures intended to give relief from indebtedness both to rural and urban debtors, the help given to agriculturists to save them from natural calamities such as hailstorms and famines, the starting of a peasants' welfare fund aimed to help small peasants which amounted to Rs. 1½ crores by the end of 1943-44, the extension of irrigation facilities like Haveli and Thar projects, the enactment of the Agricultural Produce Marketing Act and a number of similar other activities intended to improve the condition of the masses". It will be clear that practically all these achievements have been aimed at benefitting the class of "statutory" agriculturists, an artificial class of population reared up in the province by the Unionist Ministry. The pamphlet seeks to justify the concept of "statutory" agriculturists by making the argument that although there may be periodic emigrations of the agriculturist from the village, a considerable number changing their ploughshares for swords or otherwise taking up some employment, the emigrants usually return home and resume work on the fields. The argument has only specious validity for it is a fact that most of the politician *zamindars* of the Unionist party have actually no more concern with the cultivation of the soil than a considerable number of other landowners in the Province not belonging to the statutory class of agriculturists.

The Unionist theory of government is that there ought as far as possible to be a rough correspondence between the amount of revenue yielded by the urban and rural areas to the provincial fisc and the services rendered by the Government in return. In the actual government of the Province the Ministry has diverted more and more of the avenues of expenditure to the rural areas, justifying its action on the contention that it is the rural areas in the province which contribute a major share of the provincial revenues, the income of taxes from the urban areas more often going to the central fisc. There are people who are inclined to see in this a case of purposeful misinterpretation of the theory on the part of the landed aristocracy, which constitutes the ruling clique in the Unionist party—who have sought to the interests of the business and banking community in order to further their own interests. A comparative study of the provisions of the several Punjab Relief of Indebtedness Amendment Acts and of the Punjab Alienation of Land Amendment Acts seems to lend much weight to this view. In order to rectify the disproportionate over-representation of the urban communities in the public services, the Government took recourse to the creation of new posts and new departments, with the result that the number of tax-collecting and orders-giving agencies in the province has tremendously increased. The increase of personnel was incidentally resorted to by the Ministry as an expedient for keeping united the several discordant elements of the ministerial party, but the evil effects of an overgrown bureaucracy are likely to be felt by the people in the long run.

Apart from these weaknesses of the Unionist policy, however, it is undeniable that like the other popular ministries when they functioned the Punjab ministry has shown enterprise and drive and a courage to experiment and take measures from which Governments under the previous constitution would have shrunk. "The Punjab was the first province to produce a majority party able and willing to shoulder the responsibility of government under Provincial Autonomy", and it is a matter of no little significance that the Punjab has been able to keep it in existence for such a long time. The pamphlet explains this by pointing towards (1) the policy of the Unionist party, which gave representation in its ministry to the Sikhs and non-agricultural Hindu minorities, thus gaining "the confidence of religious minorities in the province to a greater extent than any other Provincial Ministry", and (2) the special characteristics of the Province itself, which is marked by "the social and political solidarity of the agriculturists, from the few big landlords to the numerous peasant-proprietors and more numerous tenants and agricultural labourers, many of whom belong to the so-called scheduled castes". Whether the Punjab agricultural community really has a solidarity of sentiment and such a sense of separation from the urban



classes as the pamphlet seeks to make out, it is not altogether easy to concede. The Punjab politics as well as Punjab life have not so far been characterised by a deep sense of communal isolationism; the line of economic cleavage in the Punjab population has so far tended to cut across parties and political alliances, as became clear during the progress of agrarian legislation in the year 1940, for the people have sufficient practical-mindedness not to worry over doctrinal controversies and ideological issues.

BOOL CHAND.

### THE INDIAN POLITICAL SCIENCE ASSOCIATION.

#### Report on Research Theses in Political Science, Completed or Under Preparation in Indian Universities.

The Indian Political Science Association adopted the following resolution at its Fourth Annual Conference in Bombay on 2nd January, 1942.

"The Managing Editor of the Journal be requested to print in one issue of the Journal every year the list of theses completed or under preparation for a research degree in Political Science at each Indian University."

The first list of theses was published in October-December, 1942 (Vol. IV No. 2) Number of the Journal. The reports received since then may be summarised as follows :—

#### 1. ALLAHABAD.

- |   |                    |                   |
|---|--------------------|-------------------|
| 1. Political Thought in Smiriti Literature.   | Ram Kishore Gupta. | Completed         |
| 2. Nationalism in the East—a comparative study.                                     | C. Y. Ou Yang      | Under preparation |
| 3. Political Philosophy of T. H. Green.   | Asa Ram ...        | "                 |
| 4. The Position of women in modern political and constitutional law.                | Mrs. Kamla Sahai.  | "                 |
| 5. Municipal Administration in the United Provinces.                                | Rajendra Nath      | "                 |
| 6. The Education policy and administration of Local Boards in the United Provinces. | Krishna Narain     | "                 |

	The political thought of Graham-Wallas.	Mohan Lal ...	Under preparation
	The development and structure of the administrative system in the Gwalior State.	Sri Ram ...	"
9.	Political philosophy of Prof. Laski.	T. N. Pande...	"
10.	The political ideas of Sedgwick...	A m b a Datt Pant.	"
11.	The problem of liberty in English political philosophy from John Stuart Mill to Herbert Spencer.	Miss Chandra Kumari Kakkar.	"
12.	The structure and organisation of civil services in India, from 1833 to 1919.	Jagdish Saran Singh.	"

## BOMBAY.

	The people and princes of Saurashtra (Kathiawar) in Mediaeval and Modern Times.	R. B. Shukla	"
	India's Social and Political Relations with Afghanistan and Persia upto the advent of the British power in India.	A. H. A. Baakza	"
3.	The Politics of the Age of Mahabharata.	M. V. Pattani	"
4.	The Social and Political conditions of India in the Mauryan Age.	K. S. Shukla	"
	Local-self Government ...	M. Ramkrishna	"

## LUCKNOW

1.	Problem of Federalism as applied to India.	B. M. Sharma	Completed
2.	Gandhi's theory of Non-violence...	G. N. Dhawan	"
3.	Municipal government in the United Provinces.	R. B. Das ...	"
4.	Government and Administration of Baorda.	I. D. Sharma	"

5.	Minorities problem in India ...	Mohd. Asif Kidwai.	Completed.
6.	Democratic elements in the Epic age in India.	Shyam Lal Pande.	"
	Legislative procedure in India (Central).	T. Subba Rao	"
8.	Influence of representative Institutions on the Educational system of India.	Salig Ram Chaturvedi	"
9.	Development of Muslim political philosophy and Institutions from 7th to 10th century.	Mohd. Hashim Kidwai	"
10.	Civil Services in India ...	Gur Prasad Srivastava.	Under preparation.
11.	Constituent Assemblies with special reference to India.	Virendra Singh Katara.	"
12.	Government and Administration of Nepal.	C. S. Tewari...	"
13.	Development of the Central Legislature in India since 1861.	Rajendra Coommar.	"
14.	Division of powers between the Centre and units with special reference to India.	Surendra Kumar Sinha.	"
15.	Government and Administration of Mysore.	Mohd. Hanif...	"
16.	Village Panchayats in the United Provinces.	Sri Lal Andit chya.	"

## NAGPUR.

1.	The evolution of Representative Institutions in Modern India (1858-1938).	R. Visweswara Rao.	Under preparation.
2.	A study in the Origin and Development of the Central Legislature of India.	R. M. Sinha...	"

## THE PUNJAB.

Judges and Courts in India	R. N. Aggarwal	"
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**List of M. A. Theses in Political Science, Osmania University,  
Hyderabad.**

- |   |                             |                    |
|---|-----------------------------|--------------------|
| 1. Evolution of British Imperialism from 1890 to 1919.      | Muniruddin ...              | Under preparation. |
| 2. Professor Harold Laski's Political Thought.              | Syed Moham-mad Ali Moosavi. | "                  |
| 3. Raja Ram Mohan Roy and his Political and Social Idea.    | Ravindra Pd. Khanna.        | "                  |
| 4. The Social and Political Thought of Sir Syed Ahmed Khan. | Miss Bilqis Muhamm ad Ali.  | "                  |

The Universities of Agra and Dacca have written to say that no Doctorate theses in Political Science are at present under preparation there. No communication on the subject has yet been received from the Universities of Madras and Benares. It will be published as soon as it is received.

### EDITORIAL NOTE

Principal G. D. Sondhi, Government College, Lahore, has been elected by the Association for the year 1945 *Managing Editor* of the Journal and he will shortly take charge of the Journal. All communications after the 29th of January, 1945, should be addressed to him. Dr. B. M. Sharma, Politics Department, Lucknow University, has been elected General Secretary by the Association for the year 1945.

#### To members of the Indian Political Science Association.

The New year of the Association began on January 1st, 1945. Kindly send your Annual subscription of Rs. 10 (by cheque Rs 10/4/-) at your earliest convenience. The life membership fee is Rs. 100 and we shall be glad if you will agree to become a life member by sending to the Secretary, Dr. B. M. Sharma, Politics Department, Lucknow University, a cheque for Rs 100/4/-. *In case your subscription is not received before the 31st of March, 1945, the next issue of the Journal will be sent per V. P. P.* Please note and send the subscription as early as possible.

7th January, 1945.

BENI PRASAD.  
*Managing Editor.*

# THE INDIAN JOURNAL OF ECONOMICS

Organ of <b>The Indian Economic Association</b>	Estd. <b>1916</b>	Issued by <b>Economics and Commerce Departments Allahabad University.</b>
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## THE LATE PROF. BENI PRASAD

The sad demise of Professor Beni Prasad, has been an irreparable loss to the country in general and to the Science of Politics in particular. Barely fifty, though he was when he passed away, he had acquired a great reputation as a teacher, scholar, and original thinker. His catholicity of outlook, his learning and integrity won him universal respect.

For over two decades, Professor Beni Prasad held the Chair in Political Science, at the University of Allahabad, with distinction. A scholarly recluse, he was warm in friendships. There was that fine combination of firmness and gentility which makes one loved as well as admired. His contributions to Political Science as well as History were numerous. He wrote much on the Hindu Muslim problem which has been regarded as standard literature on the subject. He frankly stated his personal views on every current question without regard to any party doctrine.

Professor Beni Prasad was the Founder-Editor of the Indian Journal of Political Science which he edited for 7 years with great ability though at considerable personal sacrifice. Year after year, he wished to be relieved of the burden, but in the interests of the Association he was persuaded again and again to continue as the Editor till early this year. During these years he nursed the Journal to acquire a solid foundation and its proper place amongst scientific periodicals.

He was elected President of the Indian Political Science Association for 1940—in fact he was always regarded as the *doyen* of Political Scientists. Describing the Indian Political Science Conference held at Jaipur, 1945, "The States' Chronicle" wrote, "Dr. Beni Prasad was an elder brother of the Political Scientists gathered there. His venerable presence added profundity and respect to the Session."

J. N. K.



# THE PROBLEM OF CONSTITUTION-MAKING IN INDIA

BY

PROF. N. R. DESHPANDE, M.A., LL.B.

*Fergusson College, Poona.*

## Introductory.

"A barren mood of negation has seized the intellectuals of India. Those whose normal function is to give the required initiative for the formation of political opinion prefer to be satisfied with the mere contemplation of other peoples' sins rather than to make any effort to find a way out of humiliation and distress. At the present moment anger and hatred seem to satisfy the soul of the intelligentsia. Such a mood leaves no room for any constructive thought".<sup>1</sup>

Very few will disagree with the description of the political intelligentsia given by Mr. C. Rajgopalachari. The political atmosphere in the country has become cold and quiet. Considerations of honour and prestige stand in the way of seeking out new plans to correct past mistakes. Helplessness gives rise to degeneration. Political forces seem to be demoralised. The British government is helping the process by adopting a policy of stand and wait. They have shelved India's constitutional issue to the post-war period. The majority of political workers in the country seem to have acquiesced in the decision, and are banking upon the end of the war to see the solution of all political problems, as if by magic. Such an attitude is dangerous in the extreme. "Political tangles do not vanish by themselves. Indeed, they have a knack of getting more and more entangled".<sup>2</sup> Unless a determined attempt is made to face the facts of the situation, India is not likely to come out of the turmoil and that would spell disaster for India. When mighty convulsions are changing the destinies of men and nations, when revolutionary ideas are getting hold of peoples'

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\*A paper submitted to the Indian Political Science Conference, 7th Session, Jaipur, 1945.

1. C. Rajgopalachari: The way out, P. 3-4.

2. Ibid. p. 6.



minds not merely in political but also in social and economic spheres of life, when every country is vying with the other for influencing the shape of things to come, when humanity seems to be marching towards a New order, poor India cannot stand and wait, for that would deprive her of an opportunity very rare to obtain.

Nor can the British Government repudiate its responsibility in the matter, for, a constitutional settlement in India is as essential for a satisfactory post-war settlement in the Far East as for maintaining the internal harmony within the British Commonwealth of Nations. The solution of India's constitutional problem, thus, is of a vital importance both to India and to Gr. Britain—to India evidently because her whole moral uplift and material progress depend upon it, and to Britain because, "the British people have staked more than they have realised on the success of the Indian constitution".<sup>3</sup>

### The Problem Stated

"Those issues that are involved in the Indian problem", writes Sir George Schuster, *viz.* "the establishment of freedom combined with order and, the advancement of social welfare are the things that really matter and which ought to be the issues of our times".<sup>4</sup> The Indian problem viewed in such a perspective is merely one aspect of the general problem which every country has to face in its constitution making. The Constitution of a country is the fundamental law of the State and as such forms its basis. It has a positive role of giving to the citizens of the State the conditions necessary for "good life" for as Aristotle pointed out long ago, the State comes into existence for making life possible, but it continues to exist for making "good life" possible. The 'raison de etre' of the State will thus depend upon the character of the constitution, the extent to which it assures freedom and opportunities for self-realization to the individual. The demand for self-determination reduces itself, in the political context, to a peoples' right of framing their own constitution of a State framed by the citizens, will provide full opportunities for their own moral and material development. The legal and formal

3. Sir G. Schuster and G. Wint: *India and Democracy*.  
4. *Ibid.* *ibid.*

provisions of the constitution are merely the outer framework the creation of which may properly be a task of expert jurists and constitutionalists. But the formulation of the fundamentals of the constitution (e. g. the nature of the state, social and economic relationships between the units of society, the place of the individual fundamental rights of citizenship etc.) is essentially a political function to be performed by the body-politic. A dynamic society requires the adoption of new institutions and methods to correspond to the newer requirements of social life as represented in its changing patterns and relationships. The constitutional problem in the Indian context, therefore, is "to devise the new political institutions which have been made necessary by changes in economic and class structure, by the development in India of great political parties and above all by the quickening of intellectual life".<sup>5</sup> That is the supreme task of the political movement in India and the lack of its proper appreciation by many parties in the country constitutes a major obstacle to political progress. It is not the lack of constitutional expertise or legal acumen that is preventing the rise of an Indian Constitution. A small body of experts recommended by H. E. the Viceroy in his address to the Central Legislature or as contemplated by Sir T. B. Sapru and his colleagues of the Non-party Conference, may produce a constitutional framework, full of legal niceties attempting to compromise the different viewpoints propagated by the leaders of the various political parties in the country. But it will fail to express adequately the national aspirations which the people at large objectively cherish and which are crystalized in the process of political struggle as a result of the political education they receive thereby. The fate of the Nehru Report is a pointer in this direction. The problem lies in formulating correctly these national aspirations—those fundamental urges which prompt the body-politic in its fight for freedom. It is the importance of this problem which makes the composition and constitution of the Constituent Assembly a matter of paramount importance. It would indeed be an irony of fate if the fundamental principles of the constitution were to be formulated by a small committee of jurists and constitutional experts having no political affiliation

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5. *Ibid.* p. 241.

(and perhaps no political background) and some of whom have either been indifferent or definitely hostile to the national struggle at its various stages. A body like this is not calculated to produce the political outlook which may properly envisage the need of social and economic revolution in Indian life.

### India's Opportunity.

It is interesting to note that the Indian constitutional problem has not arisen out of the British Government's refusal to recognise India's right to self-determination. In fact, the Draft Declaration of 1942, taken in conjunction with Sir Stafford Cripps' Press Conferences, accepted India's right to frame her own constitution. It was an unequivocal declaration, to use Sir Stafford's words, of "complete and absolute self-determination and self-government for India". It not merely conceded to India the right of framing her own constitution and proposed a plan for a constitution-making body (to be adopted in the absence of any plan agreed upon by the leaders of Indian opinion), but it also conceded to the proposed Indian Union the right to secede from the British Commonwealth. Here for the first time, His Majesty's Government authoritatively recognised India's right to self-determination "with a mapped out road for reaching it immediately after the war".<sup>6</sup> Even the Congress Working Committee had to admit that 'self-determination for the people of India is accepted in principle' although it complained that it was to take effect in an uncertain future. The offer has since then been repeatedly declared to be open both by the British government as also by H. E. the Viceroy; says the latter, "nearly two years have passed since the Cripps draft declaration was made public but it stands forth today as the solemn pledge of His Majesty's government that India shall have full control of her own destiny among the nations of the Commonwealth and of the world".<sup>7</sup> The question, therefore, is no longer to get from the British Government an assurance of India's right to govern herself but it is one for the Indian people to formulate the principles of constitution which may facilitate their forcing the British Government to

6. H. V. Hodson: *Responsibilities in India* (Foreign Affairs, July 1943, p. 740)

7. Viceroy's address to the Central Legislature, February 17 1944

make it a reality. "The place in which India's destiny is to be decided has been moved away from Westminster. It is with Indian statesmen now that the decision rests."<sup>8</sup> The British Government has thus thrown out a challenge to Indian statesmanship. It is India's opportunity to accept it and to show the world what best she can do under the circumstances.

### Prof. Coupland's Solution.

In his report on "The Constitutional Problem in India" submitted by Prof. R. Coupland to the Warden and Fellows of the Nuffield College, Oxford, he surveys development of Indian politics since 1833 and attempts to state the main facts of the situation that must be faced. In the third part of his report entitled "The Future of India", Prof. Coupland discusses the possibilities of an ultimate constitutional settlement of the Indian problem. He considers the problem to be one of devising a system of government both for the provinces and for India as a whole, in which the twin principles of freedom and unity are balanced and combined. The substance of his argument is that the Indian problem is not one between England and India nor so much between British India and the Native states but "it is in the conflict between these two great parties (Congress and the Muslim League) or, more strictly, in the Hindu-Muslim schism which that conflict reflects that the supreme obstacle to an agreement is to be found".<sup>9</sup> The majority of Muslims refuse to acquiesce (i) in the re-establishment of pure Congress Ministries in the Hindu-majority provinces and (ii) in any constitution which makes possible a Hindu-majority at the centre. In fact the Muslims do not contemplate any centre at all. Though Prof. Coupland does not envisage an actual civil war between the two communities, he believes that "the gulf (between the two communities has now become too wide to be bridged. The unity of India has already been broken beyond repair" <sup>10</sup>

By way of a solution, he makes a plea for statutory coalition governments in the provinces on the model of the Swiss Federal Executive. In order to give them greater

8. R. Coupland—the Future of India, p. 180.

9. Ibid. p. 16.

10. Ibid. p. 19.

stability, they should not be responsible to the legislature from day to day. The composition of the legislatures will continue to be based on communal representation and separate electorates. The greatest possible use will be made of general, political and cultural safeguards for the minorities, it being provided that the safeguard clauses of the constitution will not be altered without the minorities' assent.

As regards the organisation of the centre, which he considers to be the crux of the constitutional problem, Prof. Coupland is unwilling to accept the Muslim demand for Pakistan,<sup>11</sup> not merely because the Muslims would have to pay a high price for it, but also because Partition threatens to throw India back to the condition it was in after the break-up of the Moghul Empire, to make it another Balkans. It would negate the development of democracy in India for the loss of security involved in Partition would mean that democracy may never come to life. It would prevent a free India from taking her due place in the world as a great Asiatic power and that will perpetuate unhappy memories of the Indo-British relationship. As Coupland says, "if India could recover the position she once held in the world, if she could become again a great Asiatic power, not only taking the lead in political and economic strength but setting new standards of social life and culture, then indeed the memories of her period of subjection might fade out, and her historians might ultimately come to regard the era of British rule in the same sort of light as British historians regard the era of the Norman Conquest."<sup>12</sup> Arguing that even though the Muslims are a separate nation they can realize their nationhood—without being wholly independent States. Prof. Coupland propounds his scheme of Regional division of the country, preferably on the basis of river-basins, demarcating the Regions in such a way as to attain an even communal balance at the centre. The idea of Regionalism was earlier advocated by the late Sir Sikander Hayat Khan with a view primarily to reduce the scope of the Central Authority to the minimum and to secure for the provinces the widest possible field for the exercise of their autonomy. In the opinion of Prof. Coupland, the idea of Regionalism

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11. Ibid. ch. ix.

12. Ibid. p. 108.

would not only create a 'weak' centre, the scope of its powers being confined to foreign affairs and defence, tariffs, currency and possibly communications, but it would also satisfy the Muslim demand for consolidation of their 'national homelands'. The representatives of the Regions would come to the centre not on an all-India footing but solely as the agents of their Regions with mandates from their governments and legislatures. The Indian States may join such a union possibly as a separate States Dominion, but the association of the States with the provinces at the centre should not upset such intercommunal balance as has been established for British India.

Prof. Coupland evidently attempts to devise a *via media* between the extreme demand for Partition on the one hand and the establishment of full responsible government of the Parliamentary type demanded on the other. His solution depends for its success upon an agreement between the leaders of the different political parties in India. The break-down of the Gandhi-Jinnah talks over the Rajaji formula leaves little ground for hope that the Regional scheme may enjoy a better fate. As Prof. Coupland himself points out, Regionalism meets half the Muslim claim. It concedes the first demand of 'Pakistan resolution' *viz.* the consolidation of the Muslim 'national homelands.' But "if that claim, means as it would normally be taken to mean, that the States are to exercise these powers quite independently and in no way to share them with other States, it cannot be met by Regionalism. For Regionalism is not partition. It preserves the unity of India."<sup>13</sup> It was exactly on this point that the talk between Gandhi and Jinnah, broke down. In fact, any scheme the practicability of which depends upon agreement between the leaders of the Congress and the Muslim League as at present constituted would be difficult of practical realization in view of their proposed claims which are almost contradictory to one another. And even if the demands of one party are satisfied, that is likely to create a series of further demands on behalf of many other interests in the country which might make the problem insoluble. The parties in India to-day are so constituted as deliberately to emphasize the differences between

various sections of the people. Moreover the parties try to measure their own strength by their capacity of securing the highest terms in the settlement for themselves and hence they adopt obstructionist policies. "The Muslim League has a party interest in standing aside, in putting its terms for a positive policy as high as to render it negative in effect. For the League rightly feels itself to be on an upward arc of 'political power.'"<sup>14</sup> The Congress failed to realize where the tactical limit to Jinnah's intransigence lay and in trying to pacify the Muslim League, the Congress in fact intensified its opposition. This failure of the Congress was largely due to its failure to get 'out of the blind alley.' The rejection of the Cripps offer by the Congress betrayed a lamentable lack of statesmanship<sup>15</sup>. Through the wise and effective exercise of political power for promoting the well being of the Indian masses, the working of an interim government at the centre would have revealed the possibility of a unifying purpose which might cut across the ordinary political divisions. Such a process would have been facilitated, had the Congress not rejected the Cripps Scheme. "There is little doubt", writes Horace Alexander, "That if the Congress had accepted the plan (as it very nearly did, in spite of its dissatisfaction), the Muslim League in particular, and probably other groups, would have hastened to come in too."<sup>16</sup> The Cripps proposals had thus offered a chance to the major political parties in India to come to an agreement on the practical task of working a government and of evolving a constitution-making body of their own making. It was an attempt to compromise the Congress demand for a constituent assembly with the League demand for Partition. In the light of what has happened to communal talk since then, it seems that the non-accession clause went the longest way in reasonably trying to meet the Muslim demand. Besides, the Cripps proposals contained an outstanding feature of reference to the people, taken in provincial units. As pointed out by C. Rajgopalachari, "the plan for an appeal to the people is a wholesome way out of the impasse and we should welcome it."<sup>17</sup> Prof. Coupland's solution, therefore, suffers in comparison with the Cripps

14. H. V. Hodson: *Responsibilities in India* (Foreign Affairs, July 43, p.7-6).

15. C. R. : 'The Way Out' page 11.

16. Horace Alexander: *India Since Cripps*, page 17.

17. C. Rajgopalachari: *The Way Out*, p. 22.

scheme on the point of an ultimate reference to the people. Even from the point of view of immediate practicability, the rejection by the Muslim League of the Cripps proposals and the Rajaji formula leave absolutely no ground for hope for the Regional solution which negates Partition.

A different approach to the problem seems necessary. It must be formulated against the background of the true nature of a constitution discussed earlier. The faith in the possibility of the ultimate solution of India's problem depends upon the fundamental unity underlying the true interests of the masses. For a proper realization of it, the people must become politically conscious and active. It is the responsibility of intellectual leadership in the country to face the problem squarely and to rouse and activate the masses so as to withstand all attempts to foil India's political progress. The fundamentals of the constitution making must be fully democratic in the true sense of the term. If leaders refuse to agree—and for considerations of honour, prestige and party interests they will refuse to agree—it is for the people to agree among themselves and, an agreement among the common people will not merely be more democratic and, therefore, more permanent, but it will also be easier of practical realization for no considerations of prestige or party interests will come in the way of their appreciating the urgency of the situation and hence the fundamental unity.

### What Kind of Democracy ?

A point which emerges out of our consideration of Professor Coupland's solution of the communal problem is about the formation of statutory composite cabinets on the model of the Swiss Federal executive, an expedient which is very widely canvassed in India in recent times. It must be realized that the Swiss alternative, although unique in many respects, has limited possibilities of application in India because of the vast complications of the Indian political situation, and the fundamental differences between the political parties as they are organised to-day. The system has worked successfully in Switzerland because of certain special features *e. g.* the small and relatively isolated character of the country which creates homogeneity and reduces the complexity of problems, greater political experience



on the part of the electorate and a long tradition of national sense which favours a system of joint electorates etc., a great reliance on the adoption of the Swiss model would, perhaps, be unjustified in India to-day. Besides, there is another important consideration *viz.*, that to accept the Swiss model as a solution would amount to favouring the maintenance of the *status quo* in all spheres of national life excepting the formal provisions of the constitution regarding the relations between the executive and the legislature. But no constitution which favours the maintenance of the *status quo*, especially in matters of social, economic and political relationships is likely to be democratic enough to secure the support of the Indian people.

The demand for an expedient like the Swiss model arises out of the increasing opposition, both in England and in India, to the further development of Parliamentary Democracy of the British type in India. Men in Great Britain, including a number of those in authority, have lately begun to feel that they have gone too far in India along the road to the grant of self-government based on the normal type of parliamentary institutions, and that, the time now seems to have come to go further back and to ask whether India has developed her social structure and has solved her economic difficulties so as to make the successful working of parliamentary institutions in India a practicable proposition. Sir George Schuster, for example, points out that the system of Government has not spread down to the masses in India and in fact modern civilization seems to have permeated only a thin level of society at the top. Indian history reveals no tradition of democracy. There is no unity of a true national feeling in India and the major parties have not shown themselves adapted to parliamentary conditions and to all that is necessary for the working of that form of constitution. Obviously, he concludes, "a system of parliamentary democracy such as that which has been developed and worked hitherto in England is not likely to be suited to India's needs—certainly not for the Central or Federal Government and probably not for the provinces either."<sup>18</sup> After offering certain practical suggestions, he advocates getting down to practical work, for, in the

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18. Sir G. Schuster and G. Wint: India and Democracy p. 376.

handling of the actual task, solutions for what look like intractable problems will be found. It is, however, his conviction that "the constitutional problem cannot be completely or finally solved in advance."<sup>19</sup> This seems to be representative of the typically British official attitude which to-day has raised India's economic problem to the forefront, throwing, at the same-time, her constitutional issue into the background. This attitude is born of an average Englishman's firm conviction that Parliamentary democracy is the ideal form of government which a people can deserve only after a considerably high stage of social and economic development has been attained so that they develop a psychological and intellectual framework capable of conducting parliamentary institutions.

The opposition in India, headed by Mr. Jinnah and the Muslim League, seems to be based on the opposition to the fundamental implication of democracy itself *viz*, majority rule, rather than its concrete manifestation in the representative institutions of the British type. In his article contributed to the 'Time and Tide', dated the 19th January 1940, Mr. Jinnah says: "Democratic systems based on the concept of a homogeneous nation such as England are very definitely not applicable to heterogeneous countries such as India and this simple fact is the root cause of all India's constitutional ills". He has not, as yet, given any idea of what alternative form of democracy he contemplates in the Pakistan when it comes into being. Identifying the Congress domination with the rule of the majority (community) in the country, Mr. Jinnah has started condemning the principle of democracy itself and is thus hindering the country's progress towards constitutional settlement. "Wherever" says, Major Atlee, "the essentials of democracy, acceptance of majority rule with respect for the rights of minorities, is not observed, there you will find the road to self-government blocked."<sup>20</sup>

### Conclusion.

The case for Democracy stands on its capacity to create conditions of good life. The form which it takes

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19. Ibid p. 385.

20. speech at the American Society on the U. S. Thanks Giving Day (Times of India, 24th November, 1944).

in any country depends upon the socio-economic relationships subsisting between the different sections of the population. Parliamentary Democracy of the British type based on a property franchise seems to-day to have outlived its utility for in the declining stages of capitalism, it can no longer satisfy the progressively increasing demands of the masses. It has, therefore, been condemned most by the Fascist dictators who make no pretence of safeguarding democratic principles and deprive the masses even of their elementary democratic rights in order to give a further lease to the capitalist regime. The capacity of democracy to survive depends upon its ability to transform itself in such a way as effectively to withstand the onslaughts made on it. Democracy in the real sense of the term is not necessarily restricted to the parliamentary form. It is something more positive and more fruitful, an instrument which facilitates the development of life in all its aspects—social, economic and political. It implies besides political freedom, social justice and economic equality. It is “a system which gives the best chance of development to every single one of its citizens”. Universal adult suffrage is an essential requisite of the democratic process for in its absence political equality loses all significance. Democracy in the political sphere will fail to realize itself, if it is not accompanied by democracy in the social and economic sphere.

The growth of a democratic constitution in India, would, thus veritably be a political revolution. But for the successful culmination of that revolutionary process, a vast mass of human force will have to be released in action. That is possible only if the objectives of social and economic democracy are carried home to the people. The social organisation of the Indian people, lacking cohesion, has increased the difficulties of political organisation. It must be realized that political freedom or the body of fundamental rights of the citizens which that freedom implies, is protected not by law or a declaration in the constitutional document but by the social and moral conscience of society. “The formal framework of Democracy is of no value and would indeed be a misfit if there was no social Democracy—Democracy is incompatible and inconsistent with

isolation and exclusiveness, resulting in the distinction between the privileged and the unprivileged"<sup>21</sup>.

Democracy in the economic sphere, the fundamental aspect of which is economic equality, is a matter of justice and as such "is not a social luxury, but the first of social necessities". As Prof. Laski points out, "political equality is never real unless it is accompanied by virtual economic equality; political power, otherwise, is bound to be the handmaid of economic power"<sup>22</sup>.

The Soviet experiment in constitution-making has much to commend itself in the matter of combining the objectives of social justice and economic equality with the protection of the rights of minorities. Regarding its claim for a democratic title, the Webbs testify, "tested by the constitution of the Soviet Union as revised and enacted in 1936, the U. S. S. R. is the most inclusive and equalised Democracy in the world"<sup>23</sup>.

Democracy, however, once set in motion has to guard itself against the emergence of dictators from within. That depends upon the peoples' love and attachment for the constitution and a deep-rooted love of freedom in the common man, for "dictatorship thrives primarily on the indifference and the inertia of the masses. The only way to create a deep seated love for free institutions in the mind of the average citizen is the Aristotelian prescription—education in the spirit of the constitution"<sup>24</sup>.

## Epilogue

The failure of all attempts, however good-intentioned, to find a solution for India's constitutional problem has been principally due to unwillingness on the part of those who make the attempts to face the fact that Parliamentary Democracy is not the only nor the best form of Democracy and that true Democracy implies, besides political freedom, social justice and economic equality. The mass of Indian people badly require these three vitamins and hence the urgency of forging a constitutional instrument which will get them all together.

21. Dr. Ambedkar: *Ranage, Gandhi and Jinnah*, p. 36.

22. H. J. Laski: *Grammar of Politics* p. 162

23. Sidney and Beatrice Webb: *Truth About Soviet Russia*, p. 16.

24. Appadorai: *Democracy in India*, p. 24.

## THE COUPLAND PLAN

(*Economic Aspects*)

BY

DR. A. APPADORAI

The Coupland Plan of regionalism was conceived as a solution for India's political ills; it was supported by economic arguments; as it is, it is not satisfying either from the political or the economic point of view.

The plan itself is briefly this: in India there must be in addition to the Centre and the Provinces, a new set of units, to be called the Regions, each with its own Government. The Centre will be in charge of only a few subjects—foreign affairs and defence, tariffs and currency, and possibly communications. The Provinces will have a wide sphere, industry, agriculture, education, indeed all that vitally touches the life of the citizen being left to their control. The Regions four in number, two Muslim, the Indus Region and the Delta region, and two Hindu, the Ganges basin and the Deccan—will be in charge of subjects like large-scale economic planning and development and the maintenance of law and order in the last resort which cannot be handled efficiently by the Provinces, nor can they be, for political reasons, entrusted to the Centre.

The *raison d'être* of the plan is two-fold: the necessity, if some semblance of unity is to be maintained in India, to have a "weak" Centre, i.e., a Central Government limited in scope and therefore limited in the opportunity to interfere with the lives of people in the Provinces, for, is not the Central Government (granting there is one United India) likely to be predominantly Hindu in composition and tyrannical to the rest? And second is the principle of equality between Hindus and Muslims: not only will each community have two Regions, but each Region will have equal representation in Central Legislature and presumably in the Executive; and the represen-

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tatives themselves will vote under mandate from their Governments and Legislatures, lest they should develop, through independent voting a uni-national consciousness.

From the economic point of view, the significant aspects of the plan are the demarcation of the regions and the subjects entrusted to them. The regions are based, in the North, on the great river basins of Indus, the Ganges and Jumna, and the Ganges and the Brahmaputra; in the South on the watershed of the Ghats. Regional division by river-basins, it is argued, corresponds with economic needs: many millions of people depend directly, and many more indirectly, on irrigation, and the possibilities of economic welfare for the India of the future largely depend upon the proper use of its water power; this in turn demands a long-range plan which cannot be carried out within the separate areas or with the separate resources of Provinces. Economic planning is, therefore, the sphere of the Regions.

The first thought which the student of economic geography asks himself is this: Are the four Regions in Coupland's scheme sufficiently differentiated to be marked out separately? It is true that the Indus Region, the Land of the Five Rivers is marked out from the rest; but the Ganges region and the Delta region cannot be said to be so well differentiated, nor is there any valid reason why all parts of the South must be considered as one in all their natural characteristics: surely the table-land of the Deccan with its low rainfall and a soil inaccessible to irrigation, its large pasture lands and the predominance of cash crops as compared to food crops cannot be clubbed with the West Coast strip with its heavy rainfall and luxuriant vegetation as one natural region. Indeed Coupland himself would appear to have been amazed at the symmetry of his own scheme, for he admits that economic Regional Control is not so urgently needed in some areas as in others; why then press a symmetrical scheme to far-reaching conclusions? Again, from the fact that Coupland himself doubts the practicability of Indian States being compelled to fall in line, the basis of the River basins scheme is suspect, for if an Indian State lies in one of the Regions (*e.g.* Hyderabad in the South), and does not join the Region, what happens to the River basin Control Scheme? The decision on the Pakistan issue

must be taken irrespective of its advantages in respect of river basin control.

Now to the functions of the Regions. Experienced administrators will quail at the ease with which highly important issues relating to this are disposed of, and the complex issues arising from them ignored. Coupland suggests that the Regions will be entrusted with economic planning. If modern planning experiments, whether in peace or war, teach anything, it is this: to succeed, the planning authority must have the assurance that it has the freedom to deal with a variety of inter-related subjects: investment, monetary system, transport, the proper distribution of resources and man-power among various industries, rationing and price control, and so on. It was sound common sense that made the constitution-makers of the U. S. S. R. assign economic planning to the National Government, and, what is more important, assign it all those other subjects which could enable it to plan successfully, : foreign trade, banks, industrial and agricultural establishments and enterprises, and of trading enterprises of All Union importance; transport and communications, State insurance, contracting and granting of loans, a single system of national economic accounting, principles of labour legislation, and so on. Under the Coupland plan, many of these subjects are either with the Centre or with the Province; the Regions, which are the planning authorities, must depend upon their uncertain co-operation. That such co-operation cannot be either effective or permanent may be illustrated from an example which Coupland himself cites, *viz.*, the Tennessee Valley Authority in the U. S. A.: a body set up by the Central Government to plan the use, conservation and development of the natural resources of the Tennessee River drainage basin. Since such planning involves interference with state subjects, political controversy has been bitter. Such controversy must become all the more bitter when, as in the Coupland plan, there is a threefold division of powers. It is inevitable that the Regions will be constantly attempting to get powers which the Centre and the Provinces might be unwilling to give. A study of federations shows that it is increasingly unrealistic to conceive of a division of functions in terms of the assignment of the subjects as wholes; each has phases appropriate to

central and local attention; in Coupland's scheme that attention will be shared by three authorities, the Central the Regional and the Provincial. If economic planning by the Regions is at all to be satisfactory, their position and powers in relation to the Centre and to the Provinces need a clearer definition than is evident in the Plan.

Finally what can one say about the justice of assigning to nearly three-fourths of the population of a country just equal vote with the other one-fourth in the determination of policy? Arithmetic does not seem to be more helpful in Politics than Politics in Arithmetic.



# INDIA'S RELATIONS WITH THE FAR EAST

BY

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*India never an Isolationist Country.* The relations of a country or nation with the outside world are determined by various factors, viz. cultural, economic and political. India has unlike Japan of old, never pursued a policy of national isolation from the rest of the world. Apart from her contact with the Western and North-Western countries, as a result of successive invasions by the outsiders, India vigorously followed a policy of contact with other nations, particularly in cultural and commercial matters. The researches made under the auspices of the Greater India Society afford ample evidence of the colonising spirit of Indians of old, more particularly in the Far East. With the Western countries, India's contact, ever since the Greek invasions, became greater and greater. Foreign travellers and ambassadors interpreted Indian culture and civilization to their countrymen beyond the national boundaries of India. Thus foundations were laid for India developing close contact with other countries in various fields.

*India and the Far East.* The term 'Oriental' when applied to culture or civilization included within its ambit the old culture and civilization of India alongside that of China. Asia in general, and India in particular has been the cradle of world's greatest religions. Indian Emperors, like Asoka, took definite steps to spread the religious tenets and cultural ideas of theirs in far-off lands in the East and the South-East, right upto Japan and the islands of the South-East Pacific. Their efforts brought India into closer relationship with eastern countries of Asia, knitting all of them into bonds of cultural amity. Trade followed, leading to emigration of Indians to those parts. The policy of European nations, in the modern period, brought India into still greater contact with her eastern neighbours, immediate as well as distant.

\*A paper submitted to the Indian Political Science Conference Seventh Session, Jaipur, January.

Indians went as labourers, teachers and preachers to Malaya, Fiji and other places in the East. This led to India's prominence in international dealings, particularly with China and Japan. With the general trend towards closer international co-operation which marked the political tendencies of the eighteenth, nineteenth and twentieth centuries, India became the centre of European nations dealing with the proverbial East.

*India and the Far East since 1914.* The growing trade between India and the Eastern countries in the first decade of the present century received a further impetus on the outbreak of the first Great War, because of the reduced trade between India and Europe. As Japan was in that war an ally of the British, contact between India and Japan became still greater and Indians visited Japan, in the post-war period, in large numbers. Japanese too took fullest advantage of the increasing facilities to enlarge the sphere of their understandings with India, particularly in trade and manufacture. Cheap Japanese goods were dumped into Indian markets. Chinese silken goods too were sold in Indian markets by Chinese pedlars in greater quantities. This gave fresh encouragement to Indian trade and manufacture for Indians realised that Eastern countries too, like Japan, could develop their own manufactures. In the words of G. D. H. Cole "Industrialism began to spread in India and China, until finally the interruption of European supplies during the world war gave an immense stimulus to industrial production in the Far East.....Great Britain, threatened in the metal and engineering trades by the growth of European and American competition, had now to face in addition the threat to her textile industry of Asiatic production based on low wages and very long hours of labour".\*

Thus in the field of growing manufactures, India's interests became identical with those of her Eastern neighbours, against European competition. India developed identity of interests on account of the existence of similar conditions in all Asiatic countries, conditions of labour, raw materials and standard of living.

The establishment of the International Labour Office gave to China, India and Japan positions of importance

\*Guide Through World Chaos. p. 137.

among industrial nations of the world. The result was establishment of closer co-operation between Asiatic countries in the deliberations of the International Labour Conferences. Problems of immigration and emigration were identically viewed by the representatives of India and other eastern countries of Asia. The Anglo-American rivalry in the Far East, particularly in China on account of their respective investments, led to the indirect result of India taking deep interest in the growth of Chinese industries. Other matters of common concern between China and India in particular were, firstly, similar agricultural conditions, for as Cole observes, "The overwhelming majority of the people in India and China are still employed on or about the land, and even manufacturing production still largely takes the form of handicraft. In China, for example, the quantity of cotton goods produced in the factories, though it has been rising very fast, is still quite tiny in relation to the amount produced on handlooms. In India, too, even apart from the effects of Mr. Gandhi's propaganda, the hand-loom still supplies the needs of a very large part of the population."\*

Identity of interests between India and China exists also in the matter of agricultural development. In both countries there is now the growing need of adopting modern methods of increasing the amount of agricultural produce. Both countries thus need close collaboration in agricultural researches and development of hydro-electric power for agricultural and other industrial purposes. In the years that will immediately follow the conclusion of the present war, India and China will have to act in common to develop their agriculture and industries. There will thus be need for the establishment of necessary institutions and machinery to work out projects for agricultural and industrial development.

The great and close co-operation between British and American in the present war has brought to the forefront the problem of peace in the Pacific. The Pacific no longer justifies its name and it is more than certain that in the post-war period, problems of the Pacific, in almost all fields, will occupy very great importance in all international agreements and dealings. The problems will never be solved satisfactorily unless the two most vitally

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\* Guide Through World Chaos, p. 137.

interested countries that is, China and India, not to mention Japan, which will not be entirely excluded from the international conferences, adopt common policy. The fear which is now lurking in the minds of Indian and Chinese industrialists that the post-war period might see rise of a new and powerful Anglo-American economic imperialism, might not prove to be hundred per cent correct, but there is no doubt about the extreme form of international competition in commercial and industrial development in the next quarter of a century, and if the European nations, British and America pursue, then, a policy of trebling or doubling their foreign trade, China and India might again become the main chess-board in the tariff game. Necessity of mere self-protection, in the industrial field, will force China and India along with other parts of the Far East that are at present under foreign domination, to come to common understanding among themselves to protect their economic interests against the rising tide of foreign competition. From this point of view, then, India's relations with the Far East will be of a considerable importance not only in the interests of the countries concerned but also in the interests of Asia in general.

The present war has created entirely new problems in the international field. The European nations, in their lust for more imperialistic domination over Asiatic and African countries, indulge in periodical shooting and massacre by fighting deadliest of war with the aid of newer weapons forged by scientific discoveries and inventions. These periodic outbreaks of enmity among European nations have important repercussions on other continents as well, more particularly on Asiatic countries, on account of Asia being rich in several raw materials and commodities essential to warfare, like oil, rubber, tin, teak, etc. Japan's entry into the present war, brought the flames of war to her eastern borders. India has become the main field of allied operations against Japan. The rapid rise of war industries in India has raised and created entirely new problems of labour, economic resources, standard of living, and those coupled with the problems which would result from general demobilisation after the war would have to be faced by this country. Any satisfactory solutions to be of permanent value shall have to be adopted in consultation with India's neighbours on the east.

The troubles and sufferings caused to the general Indian populace on account of the stoppage of trade with the Far Eastern countries and islands in the Pacific, Japan and Burma, have shown the necessity of India adopting in the post-war period a policy of independent (of European powers) collaboration with these countries and islands.

During the last two decades India has developed rapid cultural contact with China, more particularly since 1939. The direct talks between Mahatma Gandhi and General Chiang-kai-Shek, and also between Indian leaders and Chinese leaders and intellectuals, the establishment of closer cultural contact between China and India by the exchange of students and professors, the help which India has rendered to China during the latter's critical years of national life, the years of Japanese domination over Eastern and Southern China, have had the cumulative effect of uniting India and China into closer bonds. All this shall have the effect, in the post-war period, of creating common lines of action between India and China in all international dealings. The same may, to a large extent, be said of India and other countries of the Far East. Hence the future course of international relations of India with special reference to the Far East would be of immense value to the world, as closer cooperation between countries of Asia and Pacific islands would mean the establishment of a new sphere of international relations which would provide an object lesson of considerable value to European nations.

*India, the Far East and Humanitarian Work.* The importance of international cooperation in handling problems which fall mainly in the field of humanitarian activities cannot be over-emphasized, because cooperation between nations in matters like fighting out epidemics, protection of women and children against immoral traffic, control of trade in drugs, besides devising of common institutions for the study of allied problems, creates the right atmosphere for better understanding between nations, which profoundly affects even their political relationships. Intellectual international cooperation is merely an adjunct to international cooperation in other humanitarian activities. China and India in particular, and the Far East in general have certain common problems, like epidemics of malaria, small pox, plague and

cholera. The Anti-Malaria Commission of the League visited practically all the Far Eastern countries and India and submitted a report which proved to be of great value to experts to devise anti-malaria measures. The establishment of the Singapore Bureau proved to be of immense value in keeping out contagious diseases from several countries.

China, like several parts of India, suffers from floods. In respect of such problems also there is need of greater collaboration between India and China. The future Governments in the two countries would have to cooperate in handling such matters.

In both countries, India and China illiteracy has to be fought if the general public is to play an intelligent part in the life of their respective countries. As the population in each of them runs into hundreds of millions and as compulsory education shall have to be the policy of an independent India and a truly free China, there will be ample scope for devising common methods for fighting out illiteracy among the masses.

*Political Co-operation.* Even the establishment of the League of Nations at the close of the first world war left India and China in comparatively insignificant positions in international matters. China could at the most get non-permanent seat on the League Council, with the result that the League of Nations could not give adequate attention to the questions in which Asiatic countries were vitally interested. And that is one of the reasons why Asia did not take that interest in the working of the League as was necessary on her part to make that international organization work successfully. The nine-power treaty gave to Japan the status of a first class power. The enunciation of the Japanese Monroe Doctrine, and the Japanese expansion on the Asiatic mainland led to the rise of a new threat to China which had so terribly suffered under European imperialism besides American policy. The racial policy of the United States towards Asiatic countries left these countries cold. Japan got an opportunity to steal a leaf out of the hand-book of British Imperialism and began to interfere in the problems of the Asiatic continent as Britain has been interefering in the problems of Europe. Japanese aggression in Manchuria did not interest the League of Nations to

necessary extent. The result was the unchecked rise of Japanese imperialism culminating in the present hold of Japan over the Far East.

The Dumbarton Oaks Plan envisages the establishment of regional spheres with their own agreements and understandings for keeping peace in regions. The present war has shown the necessity of maintaining peace in the Pacific and the Indian Oceans. In both these India is vitally interested not only for her own security but also for the peace of the world.

*Suggestions.*—It is, therefore, suggested that in the United Nations, the international organisation to be established according to the Dumbarton Oaks Plan, India must get a permanent seat, besides China, on the Security Council, if peace in the Far East is to be insured against future possibility of Japanese aggression. Peace in the Pacific and the Far East to be of real worth, must be maintained with the active support of India and China and is not to rest merely on the strength of the American and British navies.

There should be established a Far East, or better still, an Asiatic Council for handling problems common to this region. In such a Council India should be assigned a place of equality with China, on account of India's importance from the point of view of population and industrial needs. This Council must be allowed to make its own arrangements for securing peace in the Pacific and Indian Oceans, with full control over Singapore as the connecting link between the two Oceans. So long as the Far East and India have to depend upon British protection there can be no security from future troubles in Asia. Britain's failure to protect India, Australia and Burma, without American aid in this war is a potent argument to transfer the responsibility of keeping peace in the Pacific and the Indian Oceans to India and countries of the Far East through a Council. Of course, such a Council will function in accordance with the general security plan of the United Nations.

Economic development of the Asiatic countries, particularly India and China has to be the chief concern of those very countries unhampered by the imperialistic policies of European nations. Financial

investments, whether by America or Britain, may be made subject to conditions laid down by the United Nations, but never with the object of exploiting the Asiatic countries.

With the grant of full independence by U. S. A. to Philipines in 1946 and the winning of her national freedom by India will raise new problems, political and economic, in the Pacific and South Asia. All these will profoundly affect the course of international relations in which India shall play a very important role.



# FROM INTERNATIONALISM TO IMPERIALISM

## *A Chapter of Egyptian History*

BY

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### I

Said Pasha, Viceroy of Egypt (1854-63) was responsible for furthering the scheme of the Suez Canal. English opposition to that scheme based on the argument, among others, that the proposed canal might result in the loss of her trade with the East, just as Venice had suffered by the discovery of the Cape Route. This opposition only stirred up national feeling in France, which speedily subscribed more than half the capital of the Company for the canal concern launched by Lesseps. Eventually, in 1860, Said Pasha took up the remaining unallotted shares disregarding British objections, ignoring the indifference displayed by other nations, and not waiting for the consent of Turkey, which was given only several years later. Said's extravagance was, however, the first step towards Egypt's bankruptcy. His successor, the Khedive Ismail increased the national debt by his reckless and extravagant habits to the enormous figure of 91 millions sterling in the course of 13 years. The terms of borrowing had become increasingly disadvantageous and foreign adventurers swarmed round the Khedive. He had, however, secured two special imperial *firman*s from the Sultan of Turkey, by which he received the title and rank of Khedive and was freed from the limitations hitherto imposed on his prerogative with regard to the strength of his army and the rights of contracting foreign loans and concluding commercial treaties. These *firman*s were approved by the Five Great Powers of Europe and they were granted in consideration of the doubling of the yearly tribute to be paid to the Sultan.

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In 1864, the British began to obstruct openly the Suez Canal scheme. The British Ambassador in Constantinople made a protest to the Porte against the employment of forced labour on Turkish territory for the benefit of an alien foreign company. The situation was saved by the verdict of Emperor Napoleon III who was asked to arbitrate on the question; and the Company cleverly substituted machinery for manual labour. Egypt paid for the consequent losses and also for the magnificent ceremonies that attended the opening of the Canal. In 1875, Disraeli, the British Premier, concluded the famous diplomatic move by which he bought for four millions sterling the shares of the Canal belonging to the Khedive and had his action promptly ratified by Parliament. When Ismail's power vanished in April 1876, he suspended the payment of his treasury bills, following the example of the Porte. In the following month the Commission of Public Debt was instituted by a Khedivial decree. France, Austria and Italy, each selected a commissioner. But Lord Derby, the British Foreign Secretary declined to appoint one for England. The British Government at first paid little attention to the report of Stephen Cave who was specially desired by Ismail to examine the details of Egyptian finance. The Dual Control by two Controllers-General of Egyptian Finance, one French and one English, resulted from the financial arrangements negotiated by Goschen and Joubert. The Khedive applied to Goschen for a suitable official, and Major Baring, later Lord Cromer, was nominated British Commissioner for the Public Debt (1879).

England had all along been regarded as the special champion of the interests of the Porte; but in April, 1878 on the eve of the Congress of Berlin, she made a sudden *volte face* and combined with the French Government in demanding a full inquiry into the conditions of the Egyptian finance. The Khedive was consequently forced to accept the principle of ministerial responsibility, to suspend the Dual Control and to cede all his properties, to the State on the security of which a loan was raised. But soon afterwards he found a pretext to dismiss his new Ministers and the Commissioners. Ismail's resumption of power caused great embarrassment in international politics, "for Great

Britain was still honestly striving to avoid the burden of increased responsibility; France hesitated between a natural desire to exclude England's supremacy and the fear that a joint occupation with her neighbour would prove a certain cause of disagreement between herself and England; Italy secretly befriended the Khedive, while vaguely hoping that she might gain some advantage from his imminent downfall; Russia held aloof, and Turkey waited anxiously, not one of the Powers would consent to a Turkish occupation."

Prince Bismarck, the German Imperial Chancellor, now threatened active intervention in Egypt under the pretence of protecting the interests of certain German creditors of the State. Thus a crisis was brought about and England, France and Germany jointly demanded from the Porte the deposition of the Khedive which was accordingly done by a *firman* of the Sultan on June, 1926, 1879.

Tewfik Pasha, the son and successor of Ismail in the Khedivate (1879-92) was limited in the exercise of his viceregal prerogative by a new *firman* issued by the Porte which desired to tighten its hold upon the Egyptian administration and withdraw the right of the Khedive to contract loans, besides limiting his standing army to 18000 men. The Anglo-French Dual Control was speedily revived, a new Ministry began to function at Cairo and one half of the annual revenue was set aside for defraying the dues of the foreign creditors of the Egyptian Government. Soon, the Khedive got into trouble when he attempted to appease Arabi Pasha, a military peasant of Fellah origin and the champion of the national anti-Turk Party. Turkey thought that this afforded her another opportunity of interference and sent two commissioners to Cairo, who had, however, to be withdrawn when England and France each sent a battleship to Alexandria. The two latter powers decided to put an end to every kind of Turkish intervention and to act loyally together in the conduct of the Egyptian problem. The French Foreign Minister declared that the Egyptian policy of his Government accepted "the absolute necessity, as in the past, so also in the future, of perfect frankness and co-operation between the two Governments." Early in 1882,

a Joint Note was addressed to the Khedive by both the English and French Governments with a view to free him from the pressure of his own rebellious army. Both the Governments nowdespatched fleets to Alexandria; but the other European powers decided that Egypt was a subject of general European interest and they invited the Sultan of Turkey to restore order by sending to Cairo a special commissioner to enforce his authority. Arabi's resistance consequently increased. The two commissioners sent from the Porte were directed to report independently to the Sultan; and were indeed equipped with contradictory instructions. An anti-Christian massacre in Alexandria proved the undoing of Arabi. In June, 1882, the Six Powers of Europe met in a Conference at Constantinople to advise the Porte upon what terms it should be asked to lend troops to restore order in Egypt. Then the British bombardment of Alexandria quickly followed on July 11th. The French Government refused to co-operate with the British plan of bombardment, on the ground that her participation in the plan would constitute an act of war undertaken without the express consent of the Chamber of Deputies and would be therefore unconstitutional. The fall of the French Ministry at the time ended the question, or even the possibility, of any French military intervention in Egypt. There was no use in appealing to Italy which had been abstaining from any active alliance with England, not caring to separate herself from the European Concert and and fear of a likely collision with France. The Porte was only too willing to issue a proclamation denouncing Arabi as a rebel and to enter into a military convention with Great Britain, and promising Turkish troops. The convention remained, however, unsigned by the Turkish Government till the date of the English victory at Tel-el-Kebir. Shortly after their military occupation the British Government intimated to France their desire to withdraw the Dual Control. In February 1883, Sir Auckland Colvin was appointed the first Financial Adviser to the Egyptian Government. From that time till 1904, the French Government remained more or less persistently hostile. Lord Dufferin recommended the appointment of a British Resident at Cairo. But Gladstone's Cabinet refused to establish a protectorate and still entertained ideas of withdrawing from Egypt. Sir Evelyn Baring (Lord Cromer) became Agent and Counsel-General in September 1883.

Thus though the British Cabinet was unwilling, the British occupation had become a certainty and an accomplished fact. At the beginning French hostility to the occupation was active; all the other European powers except Italy were inwardly jealous, while Turkey added to the confusion by proposing several times that a new Khedive should be appointed. Gladstone and his Foreign Minister, Grenville, were keen for some time on withdrawing the British Army from Egypt and despatched two officials, Clifford Lloyd in 1883, and Lord Northbrook in 1884, whose missions however proved infructuous. The result was that Egyptian question which came to be complicated by the Sudanese problem developed into the most difficult one that Britain had encountered in foreign affairs in the last half acentury.

## II

Gladstone's Government had most unwillingly planted a foot in Egypt. Cromer held that, in the circumstances of the situation in 1882, not merely was armed British intervention inevitable, but it was also the best solution. Cromers loyalty to Liberalism and to the Liberal Government urged him one way, but his plans for Egypt's prosperity urged him the other way. Moreover, the Sudanese situation forbade the withdrawal of British troops. The commission of Public Debt became an even more cosmopolitan body than it had been in the past in 1885 when a new loan guaranteed by the European Powers came to be floated. Unfailing tact was, however, Cromers's principal weapon. Barrere was then the most active Anglophobe; but he only reflected the mind of the French Government which was to render the task of Great Britain in Egypt impossible. Cromer was early convinced that the Egyptian question would not be solved for the British, without their having to pass through a stage of serious tension with France.

The first four years of his administration (1883-87) impressed him with two points: (1) that it was hopeless to conduct to a successful issue the Egyptian task in the face of the prevailing British Parliamentary institutions; and (2) the English administrative machine was singularly ill-adapted to undertake the task. The year 1887 constituted the first notable turning point in the

history of the English occupation. The threat of further foreign interference had indeed now receded into the background, while Nubar Pasha, the Egyptian Prime Minister, was persuaded to publicly associate himself with the British view as to the occupation and to declare that an international commission would have disastrous consequences for Egypt. Cromer's reading of history had convinced him of the truth of Bacon's maxim that it was impossible for one nation to feel gratitude for the blessings conferred on it by another.

He thus enunciated his view: "It is indeed one of the inevitable incidents of the execution of an imperial policy that as a political force the gratitude shown to the foreigner who relieves oppression is of a very ephemeral character. We have learnt this lesson both in India and in Egypt." (Ancient and Modern Imperialism, p. 29).

Cromer was also impatient of well-meaning champions of Arab nationalism like W. S. Blunt. He had pointed this out as early as April 1885 soon after he assumed his high office, in very forceful language, when conquest of the Sudan was to be undertaken on a scale that would preclude the possibility of failure and suggested the following course of action.

"First we may come to an arrangement with the Sultan under which Turkish troops will be employed to maintain order in the Sudan. Secondly, we may arrange for the Italians to take over the country. Thirdly, we may establish some quasi-independent ruler who would be subsidized by Egypt or by England. Fourthly, we may in some form or another establish English rule in the Sudan." All these alternatives were discussed by him in full detail and special stress was laid upon one important consideration consequent upon the adoption of the fourth. He added:—

"It appears to me that it would almost necessarily lead to a reconsideration of the Egyptian situation. It is very probable that our occupation of Egypt will, in any case, be long one. If we are to become responsible for the government of the Sudan, I think we may at once, for all practical purposes, abandon any hope of getting away from Egypt at all. Under these circumstances, it would become a very open question whether it would be

advisable to continue the present system of government in Egypt."

In 1885 Lord Salisbury sent out Sir Henry Drummond Wolf which mission aimed to provide certain definite terms for the evacuation of Egypt by British within the next two years, but with a right of re-entry under certain conditions; but France and Russia objected to the British claim of the right of reserving re-entry in event of serious disturbances in Egypt and brought so much pressure to bear on Sultan Abdul Hamid that he refused to ratify the agreement. After the failure of the Drummond Wolf Mission, British assurances of a speedy evacuation of Egypt became more faint and less frequent. Soon Cromer's office came to be accepted higher in rank than that of the representatives of the other great European powers. In reality he built up his dominance in every field of Egyptian administration into which he introduced a new method and new spirit. But in spite of Cromer's annual reports of great achievements in every branch of administration and of the growing prosperity in Egypt, England's political ascendancy still lacked international recognition. However, foreign powers slowly recognised the value of their work and after the stormy episode of Fashoda, even French hostility began to diminish:

According to Lord Cromer a fertile source of friction between the British High Commissioner and the Khedive Abbas II (1893—1914) was that the latter became a pliant tool in the hands of Sultan. The Young Turk Party sent many of their numbers to Egypt for protection against persecution, and the Sultan was probably within his legal rights in demanding that Ottoman subjects who had incurred his displeasure should be handed over to him. But it was impossible for the British Government which was in possession of a paramount influence in Egypt to deliver up political Turkish offenders to such vengeful justice as might be meted out to them at Constantinople. Cromer held that it was probable, though not certain, that if Abbas had continued to intrigue in the dark and to cast a prudent veil over extreme Anglophobia, he would have remained Khedive of Egypt till the day of his death.

The Anglo-French agreement of 1904 held that the British Government declared that they had no intention of altering the political status of Egypt while the French Government for their part maintained that they would not obstruct the action of Great Britain in Egypt by asking that a time limit should be fixed for the British occupation or in any other manner. Two restrictions upon the freedom of the Egyptian Government were (1) the consent of the *Caisse*, required for the raising of fresh loans; and (2) the fixing of the amount to be spent annually by British Government on the administration according to the London Convention of 1885. Both of them were now removed and they ended a long-standing source of embarrassment to Cromer. They meant the abolition of outside financial control. Certain other aspects of internationalism however remained. The Consular Court and the Mixed Tribunals continued however, in operation under the Capitulations. Their retention was, recommended by Cromer just then; and Cromer's plan of a substitute for these institution deserves to be detailed at some length. In his last report on the Egyptian Administration Cromer thus wrote :

"So long as the regime of the Capitulations, in its present form, exists, not only must the Egyptians and the foreigners resident in Egypt always be divided into two separate camps but also no thorough solidarity of interest can be established between the various communities of Europeans *interse*. There can be no real cohesion and no concentrated action. That cohesion can only be secured by the creation of a local International Legislative Council. Apart from other grounds on which it may be defended as a reform beneficial alike to Europeans and Egyptians, I maintain that this measure will tend more than any other to create a community of interests among the heterogeneous population which inhabits the valley of the Nile, and that it will be first step towards the formation of an Egyptian national spirit in the only sense in which that spirit can be evoked without detriment to the true interests of the country.... The bestowal of legislative autonomy on the Europeans resident in Egypt, to take the place of the present cumbersome and unworkable system of legislation by diplomacy, is a measure naturally indicated by the ordinary canons which apply to political evolution."



The Anglo-French *Entente* of 1904 healed the French soreness and though the British status in Egypt still continued to be anomalous, no foreign power could call it seriously into question. The international situation was that the British dominance did not and could not juridically modify the national status of Egypt. Egypt in law, was governed by the Khedive with an Egyptian Cabinet, Legislative Council and Assembly, though in practice the British exercised a decisive measure of administrative and military control. The quality of British control seemed to deteriorate as soon as the guiding hand of Cromer was withdrawn while the Khedive Abbas II began to grow truculent and troublesome. British policy relaxed the stringency of control but Egyptian unrest continued to increase. There was the resurgence of nationalism stimulated by the breath of the growing Muhammadan reaction against the West, which Sultan Abdul Hamid's pan-Islamic propaganda had stirred throughout Islamic world and by the spreading of the racial revolt against the White man's overlordship.

Cromer was definitely not out to satisfy the aspirations of Young Egypt and in 1906 he increased the British garrison in order to be an additional security for law and order. Zagloul Pasha was appointed Minister of Education in order that the Government might be popularised to some extent. The inspiration of all Cromer's work was a passionate but a sane Imperialism; according to Zetland he conceived of empire as a "pre-ordained dispensation intended to be a source of strength and discipline to ourselves and of moral and material blessing to others" and as a "mission permeated with the supreme idea without which it is only as sounding brass and a tinkling cymbal *viz.*, the sense of sacrifice and the idea of duty." The imperialism of Cromer struggled with internationalism, both of which the rising Egyptian nationalism disliked. The revolution that took place in Egypt's international status in the last months of 1914 was regarded by Cromer as the incorporation of the country into the British Empire. It definitely severed the tie with Turkey, the new ruler was named Sultan of Egypt, the hands of the British Government were left free, if at any future time it should be found necessary to revise the arrangement and nothing definite was laid

down about the order as to the order of the succession of the Sultanate. The ex-territorial rights of foreigners did not however disappear, as there was no apprehension to be entertained on that score at present. The protectorate thus established over Egypt was held to be a compromise with genuine nationalism.

Cromer visualised the disappearance of the Capitulations. It was clearly foreshadowed in the despatch of December 19, 1914 addressed by the Acting High Commissioner to the newly-appointed Sultan under instructions from the foreign office. There was never any serious danger that the intrigues of the ex-Sultan and the ex-Khedive would really throw out of gear Egyptian affairs or give free hand to religious zeal and fanaticism. Cromer was not unduly alarmed at the resurgence of Egyptian nationalism nor even resentful of it. But he recognised that it developed a new factor in the Egyptian civilisation.

Thus, Cromer, though sometimes dubbed "over-Baring" and though he had many of the faults of the "Prancing Pro-Consul" of the Curzonian type, was still the embodiment of the best of England's work in Egypt during the most fruitful period of British Control.

## REVIEW

“Civil Service in India under the East India Company—A study in Administrative Development” by Akshay Kumar Ghosal, M. A., Ph. D., (London) Published by University of Calcutta, 1944. Pages 510.

Dr. Ghosal describes in 8 comprehensive chapters development of the British administrative system in India from the early beginnings of British rule to the transference of the Government to the Crown. In the Introduction and the conclusion the author discusses the importance of the subject, the scope of the work, the ideals and objectives laid down by some of the far-sighted administrators and the causes of the failure of the Company to achieve them. At the end of the book are given ten useful appendices, a comprehensive bibliography and a detailed Index.

The book was originally written as a thesis for the degree of Doctor of Philosophy of the University of London and was revised and enlarged before publication. It is the first part of the study of the Indian Civil Service which Dr. Ghosal intends to complete in a subsequent volume. The present study is a conscientious piece of work and gives “the story of the silent transformation of a private mercantile service into a full-fledged public administrative service” which became later, in the opinion of the author, “the most perfect and efficient bureaucracy in the world.” The Indian Civil Service has again been undergoing a transformation because an attempt is being made in the present generation to establish Parliamentary democracy in the country. As the late Mr. Ramsay Macdonald had put it in 1919 in his book “The Government of India:” “The seat of authority in India is being removed from the Civil Service to the Legislature and we must build up the system of Government accordingly. Wisdom compels us to see not very far off the end of the Civil service as we have known it and that being so it also compels us to begin without delay—create a new service which will carry us through the transition stage from a British to an Indian administration.”

Will this study help the reader in understanding the problems with which the Indian Civil service is faced today ? I am afraid I cannot agree that it may do so. But that need not detract from the value of the book under review because it throws valuable light on the subject of Civil Service Reform. Dr. Ghosal has devoted two separate chapters to the reforms introduced by Warren Hastings and Cornwallis.

He has appraised these reforms correctly and his diagnosis of the failure of the East India Company to build up a proper administrative system is also sound.

GURMUKH NIHAL SINGH

# THE INDIAN POLITICAL SCIENCE ASSOCIATION

## THE SIXTH ANNUAL REPORT OF THE INDIAN POLITICAL SCIENCE ASSOCIATION, 1944

BY

DR. J. N. KHOSLA.

I have great pleasure in presenting on behalf of the Executive Committee the Sixth Annual Report of the Indian Political Science Association.

On the 27th of December, 1944, the total membership of the Association stood at 188 including life members and a few for 1945. But 7 more have joined since then, thus bringing the total to 195. Last year there were only 119 members. This is a satisfactory progress. I am indebted to Messrs. P. S. Narayan Prasad, Drs. Y. Prasad, B. M. Sharma, E. Asirvatham and Mr. Pardasani, who have given me a great support in enlisting more members. Mr. P. S. Narayan Prasad alone has been responsible for enlisting 29 members. I requested a large number of enlightened and well-to-do persons throughout the country to become patrons of the Association, but I am afraid the response has been very poor. Sir C. P. Ramaswamy Ayyer has been good enough to accept the patronship of our Association and has paid a generous donation of Rs. 500.

The income of the Association has amounted to Rs. 2233/4 plus Rs. 500/- as patronship fee, making a total of Rs. 2733/4/. This does not take into account Rs. 70/- received since the 28th of December, 1945. This is the highest record of the income of our Association, which amounted to Rs. 1200/- in 1942, and Rs. 1810/- in 1943.

The expenses during the year have been slightly above the budgeted figure but the estimates last year were much lower than those for the previous year. From the audited statement of accounts, it will be seen that Rs. 1808/- were paid to the Journal, Printing and Stationery account for Rs. 126/- which includes Rs. 110/- spent on the publication of the Synopsis for the Lucknow Conference. The balance

in hand is Rs. 1429/13/- as compared with Rs. 156/- in December, 1942, when I took over the duties of Honorary Secretary and Treasurer. I feel the Association must make every effort to strengthen its financial position and create a "Research Publications Fund." This would not only encourage scientific study of Indian Political problems, but also add to the utility of our Association.

The Managing Editor of the Journal will read to you a separate report on the working of the Journal. The steady progress of the Journal has been maintained under the able guidance of the Managing Editor, Professor Beni Prasad, who has shouldered the responsibility of publishing the Journal single-handed, ever since its inception. The Association is deeply indebted to Professor Beni Prasad and to the Editorial Board, not only for maintaining a high standard of articles published, but also for bringing it out regularly inspite of the conditions prevailing to-day. The Managing Editor has been very economical in the running of the Journal and has, therefore, been able to increase the current balance, but the funds of the Journal are too small as yet to allow payments being made to contributors. This, indeed, is a big handicap.

In February, 1944, I went to Delhi and again made an effort to persuade the Deputy Secretaries of the Home and Finance Departments respectively of the Government of India, regarding the inclusion of Political Science as an optional subject for all the competitive examinations conducted by the Federal Public Services Commission. I also approached the Chairman of the Public Services Commission, through the Finance Department, but I am afraid, I received no encouraging response.

It is difficult to suggest any method to overcome this opposition of the Government of India to our just demand. Even the resolution of the Inter-Universities Board, two years ago, on this subject, has had no perceptible effect on the authorities.

At the Agra Conference (Christmas 1942) it was strongly urged by many members that the discussions of the Conferences should be preserved as permanent record in the files of the Association. Consequently the members participating in the discussions at Agra and at Lucknow Conferences were requested to send to the Secretary a

resume of all the points made by them at the respective Conferences. It is regretted, however, that only two members complied with this request in 1943, and none in 1944. It is hoped that the members participating in the present Conference will kindly do the needful.

During the last three months, I got in touch, directly or indirectly with at least half a dozen Universities with a view to securing invitation for our VIIIth Annual Conference, next year. Our friends at Patna and Annamalai Universities are hopeful that they may be able to secure us the required invitation in the near future. I am glad to report, however, that we have a definite invitation from the University of Allahabad, through Professor Beni Prasad.

I am sorry to say that the Government of India has not been able to send any representative to our Conference this year. It is heartening to note that delegates have come from no less than eight States—Bahawalpur, Bharatpur, Hyderabad, Mysore, Faridkot, Jaipur, Kotah and Rajkot. This is the first time that some of the Indian States have accepted our invitation.

On learning from the press that the Standing Committee of the No-Party Conference had appointed a Conciliation Committee, I requested Sir Tej Bahadur Sapru to secure the appointment of two or three members of the Indian Political Science Association on the Conciliation Committee. Sir Tej Bahadur in his letter of the 4th December, 1944, was good enough to say that he would consider the possibility of associating one person from our Association, provided we sent him a panel of two or three names. As the Committee had to start its work almost immediately, action had to be taken without further delay. Principal G. D. Sondhi suggested to our Executive Committee the following five names, out of which three were to be selected for submission to the Standing Committee of the No-Party Conference :—

1. Prof. S. V. Puntambekar.
2. Principal Gurmukh Nihal Singh.
3. Prof. Beni Prasad.
4. Dr. D. N. Bannerjee.
5. Dr. J. N. Khosla.

Before I could convey the majority decision, I received a letter from Professor H. K. Sherwani of the Osmania University, who raised an important constitutional objection, *viz.*, that the Indian Political Science Association should not associate itself with a political body, and therefore, I should not convey any names to Sir Tej Bahadur Sapru without an express vote of the Association at its general meeting. In view of this constitutional objection, I had to defer taking any action in the matter.

In conclusion, I wish to express my thanks to the President and the members of the Executive Committee, for their kind co-operation, guidance and assistance. May I also take this opportunity of expressing our deep debt of gratitude to H. H. the Maharaja of Jaipur and Sir Mirza Ismail, for giving us an opportunity to meet for our VIIth Annual Conference in this historic and beautiful city. Our thanks are also due to Mr. Rollo, the Chairman, Professor P. S. Narayan Prasad, the untiring Local Secretary, Messrs. M. V. Mathur and H. U. Khan, the Joint Secretaries and the members of the Reception Committee. We cannot forget the generous hospitality given us at Jaipur.



# THE SEVENTH INDIAN POLITICAL SCIENCE CONFERENCE, JAIPUR

BY

Dr. J. N. KHOSLA

The VIIth Indian Political Science Conference met at Jaipur on the 2nd, 3rd and 4th of January, 1945. The attendance was a record one for any year, about 65 delegates and members of the Association having been present. Most of the Indian Universities and no less than eight Indian States were represented. The opening session of the Conference was held on the 2nd of January, 1945, at the Maharaja's College, Jaipur. Mr. J. C. Rollo, Special Education Officer to the Government of Jaipur and the Chairman of the Local Working Committee welcomed the delegates of the Conference in a speech which appears elsewhere in this issue. Amin-ul-Mulk Sir Mirza M. Ismail, K.C.I.E., O.B.E., Prime Minister, Jaipur, then delivered his inaugural address, which is printed on another page of this issue, and declared the Conference open. The President of the Association, Professor S.V. Puntambekar of the Hindu University, Benares, next read his Presidential address, which also appears in this issue. After a vote of thanks to Sir Mirza Ismail by Dr. J. N. Khosla, the Honorary Secretary of the Association, the opening session concluded.

A group photograph of the Conference was then taken and the delegates were entertained to lunch at the Maharaja's College Hostel by the Organising Committee.

The after-noon session began at 2.15 P.M. with the papers on "International Relations with Special Reference to the East." Prof. R. R. Kasliwal (Ajmer), summarised his paper on "The Foreign Policy of Turkey since 1919" and in the discussion that followed, Professors V.S. Ram (Lucknow), V.D. Mahajan (Lahore), H. K. Sherwani (Osmania), Principal P. D. Gupta (Khurja) and Dr. J. N. Khosla (Lahore) participated. Prof. V. S. Ram and Dr. B. M. Sharma (Lucknow) read a joint paper on "India's Relations with the Far East" which was followed by "Speculation on the International Relations of a Free

and United India in the Post-War World" by Prof. P. N. Kirpal. In the discussion that ensued Messrs. I.N. Mathur (Lucknow), V. D. Mahajan and Dr. J. N. Khosla (Lahore), Mr. N. C. Kasliwal (Jaipur), Principal P. D. Gupta and Professor Beni Prasad (Allahabad) participated. Drs. V.S. Ram and B. M. Sharma and Mr. P. N. Kirpal (Lahore), replied to the points raised.

The following papers were taken as read, as their authors were not present :—

1. "International Security Organisation and India" by H. R. Batheja (Patna).
2. "International Relations with Special Reference to the East" by Prof. Gorakhnath Sinha (Patna).
3. "Thailand-A study in International Relations in South East Asia" by Prof. I. D. Sharma (Lahore).
4. "International Relations in the Post-War Period, with Special Reference to the East and India," by Dr. K. N. V. Sastri (Mysore).
5. "From Internationalism to Imperialism—a Chapter of Modern Egyptian History" by Prof. C. S. Srinivasachari, (Annamalai).
6. "The Future of Colonies" by Dr. Sushil Chandra Singh, New Delhi.

The Jaipur Metal Industries Ltd. had invited the delegates and members of the Conference to an At Home at 2-30 P.M. but owing to the sad and untimely death of the senior Maharani of Jaipur, the At Home, as also several other public functions and entertainments arranged in honour of the Conference had to be cancelled. At 6-15 P.M. the Executive Committee of the Association held a meeting at the Maharaja's College, which lasted for an hour.

Sir Mirza Ismail invited a batch of 30 members to a Dinner at his residence at 8.30 P.M. the same evening.

## II

The Conference began its work on the 3rd January at 10-30 A.M. at the Maharaja's College under the Presidentship of Professor S. V. Puntambekar. The morning session

was devoted to the papers on "Constitutional Schemes for India." The papers read were:—

1. "The Future Constitution of India" by Dr. E. Asirvatham (Madras).
2. "Re-arrangement of Units in the Indian Federation" by Mr. R. Coomarr (Lucknow).
3. "The Problem of Constitution-making in India" by Prof. N. R. Deshpande, (Poona).
4. "The Coupland Scheme" by Dr. J. N. Khosla, (Lahore).
5. "The Outlines of a Constitutional Scheme for India," by Prof. P. N. Kirpal, (Lahore).
6. "Quo-Vadis ; The Problem of Communal Unity in India," by Prof. M. V. Krishna Rao (Mysore).

Sir Mirza Ismail opened the discussion on these papers. He pointed out that no Constitutional Scheme could satisfy every one. He emphasized that in India the best thing was to proceed from the existing foundations, for instance, the existing provincial boundaries must remain unchanged; (even the separation of Burma was a mistake). The Government of India Act, 1935, was defective, and a Round Table Conference should be called by the Government to propose an amendment to it. "India cannot be divided," asserted Sir Mirza. An economic union of the various parts of the country was already complete; though there were many races and there was conflict of religion, in respect of internal and external trade the country was already one unit. Besides there were several other reasons for a political union, but a centre should be so constituted, that it would not possess any authority to affect the religious rights of the peoples in India. The States, added Sir Mirza, would not stand in the way of the political demand of the Indian nationalists. In fact a greater co-operation was needed between the provinces and the States. As a Mussalman he could not understand Pakistan as a definite and concrete plan. Sir Mirza advocated the principle of coalition cabinets for the provinces as well as at the centre.

Principal Gurmukh Nihal Singh (Delhi), Professors S.V. Kogekar and Outarkar (Bombay), Drs. Beni Prasad, V. S. Ram, and B. M. Sharma took part in the discussion.

At 1-15 P.M. the Conference adjourned for lunch.

At 2-00 P.M. the Conference again met and five more papers on "Constitutional Schemes for India" were summarised by their respective authors :—

1. "Rajgopalacharia Formula - A Solution for Communal Settlement," by Prof. P. N. Malhan, (Jullundur).
2. "Cripps' Plan—a critique" by Prof. A. K. Ghoshal, (Dacca).
3. "A Constituent Assembly for India" by Mr. S.K. Sinha (Lucknow).
4. "The Indian States - Their future," by Dr. B.M. Sharma, (Lucknow).
5. "The Pakistan Syllogism" by Rev. Father F. Edgar (Jaipur).
6. "The Future of the Indian Civil Service" by G.P. Srivastava (Lucknow).

In the discussion that followed Professors M. V. Krishna Rao (Mysore), P. D. Gupta, V. D. Mahajan, J.M. Ghosh (Jaipur) P. N. Malhan, N. R. Deshpande, Mr. Shanti Swaroop (Lahore), and Dr. J.N. Khosla, participated.

The following papers were taken as read in the absence of their authors :—

1. "The Form of the Future Indian State" by Prof. A. Avasthi, (Nagpur).
2. "The Coupland Scheme" by Prof. D. N. Banerjee (Dacca).
3. "Coalition Cabinets, Economic Regions and an Agency Centre for India" by Mr. V.K.N. Menon (Lucknow).
4. "The Basic Implications of Pakistan" by Dr. N. C. Roy, (Calcutta).
5. "Constitutional Scheme for India by a Historian" by Dr. K. N. V. Sastri (Mysore).
6. "India and the Ideal of the National-States" by Mr. S. Venkata Desikachar (Mysore)

At 3-15 P.M. the delegates were taken out in buses for an excursion to the beautiful and historic Amber Palace. The party returned at 5.30 P.M.

The business meeting of the Indian Political Science Association was held at the Maharaja's College at 6-30 P.M. under the Presidentship of Prof. S.V. Puntambekar at

which the office bearers and the members of the Executive Committee for 1945 were elected and other business transacted. The Annual Report of the Association, which is printed elsewhere in this issue was adopted.

The Executive Committee of the Association for 1945 will consist of:—

Prof. M. Venkatarangaiya	
(Andhra)	President.
Dr. E. Asirvatham (Madras)	Vice-President.
Dr. Y. Prasad (Agra)	"
Prof. S.V. Puntambekar (Benares)	"
	(Ex-Officio)
Dr. B.M. Sharma (Lucknow)	Secretary &
	Treasurer.
Prof. Beni Prasad (Allahabad)	Local
	Secretary.

### Members of the Committee

1. Principal P. D. Gupta	....	Agra
2. Dr. A. Halim.	....	Aligarh
3. Prof. S. Srinivasachari	....	Annamalai
4. Dr. Bool Chand	....	Benares
5. Prof. Kogekar	....	Bombay
6. Mr. B.N. Bannerjee	....	Calcutta
7. Prof. D.N. Bannerjee	....	Dacca
8. Principal G. N. Singh	....	Delhi
9. Prof. V. S. Ram	....	Lucknow
10. Mr. H. Krishna Rao	....	Mysore
11. Mr. D. K. Garde	....	Nagpur
12. Prof. H. K. Sherwani	....	Osmania
13. Dr. J. N. Khosla	....	Lahore
14. Prof. Gian Chand	....	Patna
15. Prof. Ranga.	....	Trivandrum

The Editorial Board of the Indian Journal of Political Science for 1945, will be :-

Principal G.D. Sondhi	....	Managing Editor
Prof. Beni Prasad,		
Prof. D.N. Bannerjee,		
Principal G. N. Singh,		
Prof. H.K. Sherwani.		

The meeting adjourned at 7.45 P.M. to meet again at 12-15 P.M. on the 4th January, 1945.

Sir Mirza Ismail invited another batch of 30 delegates to a Dinner in the evening. At 10-00 P.M. a special cinema show of "Ram Shastri" was arranged in honour of the delegates at Ram Prakash Talkies.

### III

The morning session of the Conference on the 4th of January was devoted to papers on "Civil Liberties in India in Peace and in War." Professor S.V. Puntambekar summarised his two papers "Civil Liberties in India in Peace" and "Civil Liberties in War." In the ensuing discussion Drs. A. Appadorai, J. N. Khosla, Beni Prasad, Principals G. D. Sondhi, G.N. Singh, Ali Akbar (Hyderabad), Messrs. Rollo, Krishna Rao and Kogekar participated. Mr. V. D. Mahajan, then read his paper on "Liberty of the Press in India," which was followed by a joint paper on "Civil Liberties in India" by Messrs. I.D. Sharma and Shanti Swaroop (Lahore). In the absence of Dr. G.N. Dhawan, his paper on "Civil Liberties in India," was taken as read.

The adjourned meeting of the Association was held at 12-45 P.M. and the following subjects for discussion were approved for the next annual Conference :-

1. Constitutional Schemes for India.
2. Administrative Technique of the T. V. A.
3. Local Government.
4. Current Political Thought.

The 7th Indian Political Science Conference concluded with a vote of thanks proposed by the President of the Association to H. H. the Maharaja of Jaipur, Sir Mirza Ismail, Mr. J. C. Rollo, Mr. Ishwar Datt, Prof. P. S. Narayan Prasad, Messrs. M.V. Mathur and H. U. Khan, Volunteers and members of the Reception Committee for making excellent arrangements for the stay and comfort of the delegates and for holding the VIIth session of the Conference at Jaipur.

After lunch an excursion had been arranged to Purana Ghat but owing to rain it had to be dropped. The Conference was a great success in every way and delegates left Jaipur with happy memories to meet again at Allahabad next Christmas.

## WELCOME ADDRESS

BY

MR. J. C. ROLLO, M.A.,

*Chairman of the Reception Committee, 7th Indian  
Political Science Conference*

Mr. President, Ladies and Gentlemen,

The Reception Committee, representing the State of Jaipur, wish to give the heartiest welcome to all who have come to join in this conference. It is a great satisfaction that so many delegates have been able to attend. This testifies to the urgency of our times, and we are very proud to think that on Jaipur soil may now ensue discussions, even conclusions, directly applicable to the well-being of India.

In using as a model for this welcome address that which was given last year by the Vice-Chancellor of Lucknow, I am sadly taken aback at the beginning. He spoke with well-justified pride of the unique part played by that university in these studies. Our Jaipur eminence in this matter lies entirely in the future, but by us at least it is not doubted for a moment! We have one conviction not very remote from your discussion last year. Neither Political Science nor indeed any other subject can rightly be regarded, and studied, as an entity in itself. I think we might say that without History the study of Politics lacks substance, without Economics it lacks structure, without Metaphysics it lacks foundation, and without Ethics it lacks justification. So broad a scheme presents a problem indeed, but surely this must be solved if university studies in Politics are to have a genuine significance.

In the history and constitution of this State there is, I am sure, much to interest you. The Jaipur Scheme of Government, its adjustment to changing times, and within it a planned efficiency in administration and a planned development of resources, is an Indian political institution of good augury for the country.

Many of us are looking forward to the discussions with an interest bordering on excitement. For one thing, we are not yet quite sure about the genus "political scientist"—whether this is a genuine or even desirable entry in the human catalogue. When, for example, I read Mr. Sondhi's presidential address of last year, I could not help feeling how far, by him at least, such a definition was transcended, for he speaks as leader of men and calls us all to leadership in our own measure, that we may exert our academic sanity upon the country's thought to-day. This topic of impartiality is a fascinating one. Impartiality is of course the paralysis of the *historian*. But I think perhaps it is the security and power of the political philosopher. It is most interesting to anticipate with what detachment, in the discussion of constitutional schemes, you will deal, for example, with Pakistan. To this discussion there is at least one contribution of over-whelming impartiality, and that contributed by Jaipur: the very title sets a good example to you: "The Pakistan Syllogism". But its author is not Indian, and not even English!

All this, I fear, is impertinence in a double sense, in a speech which, as Professor Laski would say, is a mere function of welcoming. We hope you will have a very happy visit and very prosperous discussions that your association with Jaipur may be a lasting one, and that the Jaipur Conference may be memorable in the history of the Political Science Association and in that of the State



## INAUGURAL ADDRESS

BY

SIR MIRZA M. ISMAIL

Before proceeding with the business of the Conference I am sure it is your wish that I should convey to His Highness the Maharaja on behalf of all assembled here our respectful sympathy with him in the great loss that he has sustained.

I am sure the genuineness of our welcome to you is felt in the very atmosphere of this gathering. The State of Jaipur deeply appreciates association with such endeavours as yours and wishes to do all it can to make a great success of this Conference.

I am sorry, however, that the recent sad event in the Palace has obliged us to cancel the various social functions which we had arranged for you.

In these days when in India, as all over the world, people are looking forward to, and deliberately planning for, a new era, such a conference as this assumes a new importance, provided that it desires to make some definite contribution to the cause of development and reform. Even the most academic associations and conferences are judged today by this standard-judged too severely perhaps, for practical necessity is naturally uppermost in men's minds. Yet let us hope that no future generation will ever return to the futilities of pseudo-research and unprofitable discussion on which so many devotees in the past have wasted so much time. One of the most interesting of your contributors of papers last year made this rather startling remark :—"Every subject studied in Universities and centres of higher learning should have some bearing on practical life as it has to be led by the people around. This is specially true of the social sciences." Now there is a sense in which that remark is true even of the most literary or theoretical studies that are worth pursuing. It is, however, literally true of the social sciences. And if the social sciences are studied in antiquarian or merely analytic fashion, instead of with practical purpose, such study is irrelevant

today. What then of the Annual Political Science Conference? It is most interesting to observe the difference of academic opinion as to what Political Science means, in what degree it is related to the study of past developments, and (still more important) whether it should concern itself merely with the analysis of forms of government or with the welfare of mankind. What matters, however, is not so much what the term "Political Science" means, as what this Association and Conference desire to do. The membership is essentially academic. Is the purpose also to be academic, in the current sense of remoteness from the work-a-day world?

It appears from last year's proceedings and this year's programme that the Association has quite definitely made up its mind about this. If you were political scientists in a sense contrasted with political philosophers you would not be such welcome guests. And we are hoping, though of this we are not yet quite sure, that you are moral philosophers also. At any rate you have clearly adopted as your aim the political enlightenment of the country. I take it that Principal Sondhi represents your general view when he proclaims, "Every social science should have an aim and purpose beyond itself. And that aim and purpose should be a moral and a realizable one. This is converting Political Science from a sterile into a fertile subject". He thinks it necessary to deny that this means confusing Political Science with Ethics. But why be so defensive? Why not boldly and clearly identify the two, and keep them one in thought and monition, as Sidney so naturally did when declaring that the highest end of all our study was to be found "in the ethic and politic consideration, with the end of well doing and not of well knowing only".

The statistical political scientist cuts a poor figure against the nobler tradition, ancient and modern, east and west. But the term "Science" is in itself a danger. It might be safer to admit that there is not, neither can be, any science of human affairs, even Economics being unscientific in so far as it is human, and even Psychology when it transcends Physiology. History in England has fortunately resisted the attempt made in English Universities fifty years ago, under German influence, to skeletonise it into formulae, and political studies must

never be allowed in India to risk the loss of their humanity.

But this need hardly be emphasised to you, who are to be concerned in this conference with topics which cannot fail to be of practical import, and directly concern all the peoples of India. It is not conceivable that you will discuss civil liberties with no thought of civil obligations. I could wish indeed that we could begin at the end of the subject. The country rings with clamour about rights, but there is no clamour for duty. The number of people who are working to fulfil any civil duty in our country at the cost of the slightest inconvenience and without reward or memorial is infinitesimal. Civil duty is a far finer subject than civil rights. Let us hope however, that the discussion of this thorny topic of rights and liberties will be of very great use in promoting a far clearer understanding of it, with due discrimination between citizen and parasite.

The scope of the other two subjects for consideration with special reference to the "East", and "Constitutional Schemes for India", is so enormous that here, as usual one laments the limitations of time essential to any conference, and in particular the impossibility of practical and detailed discussion as distinguished from the mere reading of papers.

The Association is, or should be, of infinitely greater moment than the Conference. It should exercise a continuous and increasing influence upon practical political planning. Its function is not merely to supply sifted and co-ordinated data but to assert the rule of reason. And at the same time it should be able to give to Universities such advice regarding curricula as must inevitably command assent. It is difficult to regard as effective in this way the discussion as to curricula that took place last year: it was impossible that it should even arrive at agreed principles, and it was only a beginning.

All that a good conference can do will, I am sure, be done in these three days. I hope that, apart from its profit and usefulness, you may all richly enjoy it and your brief visit to Jaipur as its very welcome guests.

# PRESIDENTIAL ADDRESS

BY

S. V. PUNTEMBEKAR, M.A. (OXFORD), BARRISTER-AT-LAW.

*Professor of Political Science and History,  
Benares Hindu University.*

Fellow Delegates, Ladies and Gentlemen,

Please, allow me to thank you sincerely for the great honour you have conferred on me by electing me as the President of this Seventh Session of the Indian Political Science Association. The responsibility which you have imposed on me is very great, especially in times when all political traditions and 'isms' have been thrown into the melting pot of the new zeitgeist created by the present world war. It becomes our duty, therefore, to estimate, revalue and restate the fundamental forces and values on which our modern political theory rests and shapes itself.

Is there a crisis in the political life and relations of the nations of the world today? Will the old political theory cover the facts and forces of the new politics which is emerging out of this crisis, and will it be able to meet necessities and promote the desirabilities of common human security and welfare. What are the trends in the development of the new political theory? Does the state show any signs of withering away or is it becoming more authoritarian and totalitarian. If the first we have no need of any new political theory but we must perform its last funeral ceremony and bury it deep. If it is tightening up and expanding then we must face the danger of a universal dictatorship. *Politeia, Civitas, quo vadis?* This is the most important question for political scientists of today. I intend to put before you certain reflections and considerations in which I have tried to analyse its nature in the light of our available thought and historical experience.

## New World.

There are at present new experiments being made in social reorganisation, economic planning and continental

grouping on a larger scale. The human outlook is directed today to the building up of a new human society and better ways of human life and healthier relations of human groups. The notion of fixed political boundaries and small geographical areas is becoming quite untenable. The progress in means of communication and conveyance, and in mobile and mechanical power have made them interdependent. Modern boundaries have become fluid and fluctuating not only strategically, but economically and culturally also. Modern regions have to consider the needs of social life and economic welfare along with those of political security under new conditions. Religious and racial sentiments of small holylands and homelands have become antique. The sovereign national state cannot now be regarded as the final stage in political evolution and as the final judge in political conflicts. We must think in terms of continental regions and oceanic areas. The stupendous changes wrought by science, technology and critical thought require a corresponding development of our social sciences. In this crisis national empires and international leagues have failed to provide a way out for an active international unity and collective security, because their ideology and framework have been outstripped in various ways by the growth of greater social relations, human ideals, and administrative functions. World peace cannot be secured if we organise it by what divides its new common life and aspirations. Our interdependence has now become all-pervasive and all-embracing and it must be so organised.

### **Modern Society.**

Modern society is primarily a territorial society, based on neighbourhood ensuring a feeling of neighbourliness and a love of the territory it inhabits. It is organised for self-defence, justice and happy ways of life. It is a plural society, neither unitary in religion and culture nor in economic and political interests. It is an interdependent society and cannot be easily partitioned nor any cross-section of it be given the right of self-determination and independence. It is a historical society possessing and participating in certain common needs and ways of life and cherishing a love for its territorial culture. It is not only plural in its composition, but pluralistic in its institutions and beliefs.

Modern society is not a religiously or racially unitarian society. It is not also a feudal hierarchic society, where the rights of old conquering communities, the new claims of their defeated successors and the privileges of their princely orders are to be weighed and balanced in their own favour. It is a human society whose homeland as well as holy land is the whole world. Its citizens are to be world citizens. It must be protected under a scheme of world security. It must be developed under a plan of world social insurance and service. It does not visualise any economic autarky, political self-determinism, social exclusivism and intellectual isolationism. Segregations and partitions cannot solve its problems because they are plural, interdependent and interpenetrating. Modern society is a harmony of diverse social processes and relations and varied associations and institutions. There is a great overlapping and looseness in its grouping and structure. The divergences of its races and climates, the physique and morals of its different peoples and the sense of superiority and inferiority amongst some of them make it primarily a plural society. Therefore its problem is not one of forcing them into separate unities or into an inseparable uniformity. It is a problem of enabling their common interests to be centrally guarded and their special interests to be functionally and locally secured.

Therefore in a plural society the problem is not one of majorities and minorities—the evil contribution of democracy—unless some of them are inhabiting excluded and isolated areas and are wedded to certain rigid and sectarian ways of life and belief and addicted to medieval or tribal ideals. This classification into majorities and minorities does not correspond to the realities of their habitation in various parts of a country or its localities. On that basis no modern society or state can be organised or can last. It exists and acts for a number of constituent functions—political and economic and also for ministrant functions—educational, hygienic, social and ethical. They cannot be organised on a majority and minority basis. Only some religious practices and some cultural forms have to be given freedom of belief and practice. But they cannot become the dominating purposes and needs of our common life which has to be organised for our social welfare and our physical and intellectual development. In modern times every village has its minorities

and majorities and they cannot be isolated or segregated into separate habitations. There are no permanent majorities and minorities in any country unless we apply sociologically false racial and religious interpretations to our history and society. Racially, religiously, economically, culturally and territorially we are all a mixture of various blends and patterns in beliefs and institutions. We cannot physically and mentally separate from one another. Doctrines of modern nationalism and internationalism, democracy and socialism do not accept purity of races and religions. To them a nation is statically a concept of neighbourhood and a feeling of neighbourliness, and dynamically a movement towards common human aspirations and cultural harmony.

### Nationalism.

Should we then associate nationalism with the state? Why not separate it from the state and neutralise or disestablish it like religion, so that it will not interfere with the organisation of government, and at the same time will not be interfered with by it. I should suggest that it should be *Cujus Regio ejus natio not cujus religio ejus regio aut natio*. For neutralising nationalism we must take away independent political power and selfseeking economic control from the nation and associate it with regional units of large size. Nation cannot make the state, but a state can make the nation. In a plural society this is the only practicable policy. We can not permanently segregate and maintain minorities as distinct communities inside the state. They should be integrated politically and economically into the regional community to which they belong. There was no feeling of separate nationality as such amongst the various peoples of a distinct territorial unit till late in the 19th century in Asia. Asiatic regional units, China and India, were large and were plural in social composition. They were civilisations not nations. The peoples who lived in these territorial states intermingled with one another in such proportions that each had some prospect of influencing others in some scattered areas and in some groups and functions, like military, economic, intellectual, vocational and religious. This was due to large scale encroachments and infiltrations at earlier periods when they settled down in these areas and performed certain functions and joined

certain groups. In Frontier districts where this encroachment, infiltration, settlement and adaptation took place their strength was greater than elsewhere. But it did not change the character of the plural society and its morale and sentiments. There were no compact blocs or islands created consisting of any compact groups. Whether due to conquest or colonisation, conversion to other religions did not change fundamentally their character, outlook and culture.

External states from which foreign conquerors came did not identify interests with those of the conquered states. The conquerors themselves thought and acted in terms of territorial units they had conquered, and fought against the states from which they came. There were no foreign states with whom they could identify or wished to identify for political purposes. They might borrow ideas and systems, soldiers and servants but would not merge themselves in outside states. The dominating factor was political conquest, a building up of new states. The religious or racial motive was subordinate and subsidiary to giving strength to the newly created states. States were not built upon the basis of religion or race. The conquerors, immigrants, and converts freely associated themselves with their subjects, the natives and the non-converts.

The central fact in this plural society was the state and not nationalities, because there were none. The state however if it remained powerful and integrated for long like the Mughal State, set in forces of tolerance, equality of association and adjustment, or comprehension and harmony and finally of assimilation, brought about by necessities of territorial neighbourhood, economic life, cultural contact, social cooperation and political security. It gradually developed at the top a national consciousness and unity, and at the bottom economic co-operation and social give and take. The state was creating a nation, and in historical sequence the state came before the nation. The nation to be strong and self-sufficing must be a state first which must be strong politically and self-sufficing economically. In such a plural society, exchange of populations, of rulers, of temples and religions, of merchants and artisans, of languages and codes, are impossible. You cannot carve a plural society into separate



units. It only multiplies problems from one to many. The process of partition will have to be carried out logically to every village, every caste or tribe, and even to every family. Majorities cannot expel, massacre or strangulate economically minorities, because they are completely interpenetrated into the life of the society. The theory of balance of power and of hostages amongst states cannot be applied to a plural society for justifying its vivi-section. It is a futile proposition.

### State and Nation.

Therefore it becomes the duty of the state to make the new nation. In a plural society we want some autonomy from below. We cannot maintain local minorities or majorities permanently as distinct communities inside a state geographically and historically united and permanent. The conceptions of puritan states and societies and sacred territories and codes of life are positively reactionary in a plural society and a modern world. Why build these Chinese walls round your culture and economy. A puritan polity whose future is written out in the horoscope of a rigid past and which is being built up with the intellectual, moral and economic tools of bygone and discarded ages is an anachronism and has very little future, except a legacy of permanent warfare with the neighbours and its own final decline or collapse. We have instances of such a collapse in the 18th century. No state can exist which is polyarchic in its politics, plural in its social composition, pluralistic in its institutions, and puritan in its behaviour and association, unless it is strong territorially, self-sufficing economically, and well organised militarily and financially. In a plural society, the political class and social class are not and cannot be one. They have nothing to do with each other. A political class means the net-work of governors, officers, politicians, public servants and statesmen—the whole ruling class and bureaucracy—who in a given society control public bodies, offices and organisations. Such personnel is not recruited necessarily from one single social or religious class. All governments are primarily governments by a political class which is always a minority in the country. The main significance of nationality today will therefore be in the cultural sphere and not in the political and economic sphere. In an era of planned and plural society, there cannot be econo-

mic monopolies, and political isolationisms. The technological development and economic needs, social insurances and political security require a larger territorial union, a new cosmopolis to live in securely and happily. Politics of a plural society is politics of integration, not of disintegration.

A nation has primarily a political connotation. A modern nation requires a certain territorial size, economic self-sufficingness, and political organisation for security and welfare, below which no group can exist. For it, a certain closeness of contact and co-operation are necessary. The presence of a strong central organisation is also indispensable, and finally a love for the land which has economically fed it and historically developed it must be present. A nation is not a group of persons united by a common error as to their race and religion and a common hatred of their neighbours. A world Commonwealth as well as a plural society are endangered today by racial philosophies of purity and lebensraum, by religious internationals and animosities based on puritan conceptions of ways of life and on sacredness of groups, by socialist internationals of workers and their lands, and by the demands of imperialists based on conquests and vested economic interests. The amount of resistance offered by them is very great and is a permanent danger to any world or regional social order.

### **Democracy.**

Democracy under the influence of puritanism and communalism breaks up society into atoms and collects them again into mobs. We must avoid this atomism and mobocracy. Democratic conceptions have their limits in a modern industrial and mechanised, complex and interplex society. Democratic political institutions were born of a simple pastoral and agricultural society. Their problems were few and simple. They did not cross the boundaries of small states. Our new needs and problems are international and require experts and common territorial planning. We must have leaders of superior type and of expert knowledge which a large country can alone afford. If world security, social insurance, and large planning are necessary then conceptions of democracy and national sovereignty are to be modified. If we aim at the union

of a plural society we should not represent sectional and sectarian wills in a responsible assembly. They foster divisions and delays and weaken common deliberation and unity of aims. We must organise them jointly for co-operative action. Then the machinery of the state will adapt itself to the new conditions and desirabilities. We must represent neighbourly and functional interests, as no political unit corresponds with any definite social, religious, cultural or economic unit, and as there are internal strains in every body politic.

### **Great Society.**

Therefore accepting plural society as a characteristic of every regional unit in modern times we have to evolve a progressive social and political order to meet our common needs. We do not, therefore, believe in any finality in its development. There is always a grand unfinish at the top of humanity. Its objectives and directives, its virtues of life change. Its experience and experiments give new pointer-readings in the development of social relations and processes. It is still perfecting the processess of the development of the highest type of human personality which should be the aim of any social process. Its organisation must be flexible and not legalistic. It must ensure peaceful adjustment in the light of changing conditions. We do not want Fascist states or Puritan States. All nationalisms based on puritanic, racial or religious theories have an inherent tendency to expand and encroach on their neighbour's territories and cultures for living space and cultural subjection. We cannot reduce the world to a congeries of fascist states, each consisting of fixed estates and each hostile to the rest. The world is too crowded, too complex and too plural for social, political or economic self-sufficiency to be any longer possible. We want autonomism, but not atomism. An integrated society is inevitable. Human life is moving and flowing over all the world. To fashion world's peoples into a world community, to prepare a grand plan for the Great Society to come and to shape itself should be our ideal. We now possess material and mental tools, and a growing human consciousness for its construction. International science, world economy, and human adventure are driving all the peoples into each other's homelands and holylands, and making the whole earth a sacred and single theatre

of the drama of human life. We have now to build up this great compound of our earth, where natural and human barriers are fast breaking and disappearing, into a one world community, a new mandom. In politics the days of small states are numbered. In economics there is an end of the economic man and the doctrine of *laissez faire*. In social ethics castes, clans and communal groups are discredited, and in religion the sectarian man is discarded.

Whatever little political theory there is in India comes from the west. We go to Mill for liberalism, to Mazzini for nationalism, to Marx for socialism, to Rousseau for revolutionism and where not. Their third rate avatars in India have not improved upon them and many a time merely misused them. They are merchants of old-world goods and theories only brushed up and distorted for modern cosumption. These followers of new 'isms' are offering their new lamps for the old ones. The other-worldyism of the past still remains, and new worldlyism of the present is merely vociferated or sloganed by youths. Any political theory no doubt would begin with the formation and nature, form and classification of the State, but fundamentally it must look beyond the forms of government to the political processes, and behind the processes to the systems of ideas and relations which give the processes their character.

The aim of the 19th century political theory was to restrain the powers of the authority. This led to the creation of a political man, an economic man, and a political nation. The aim of the 20th century is more to develop and to co-ordinate the social scope of authority which cannot be easily defined or divided in a plural society and which is seeking a cosmopolitan outlook. Therefore it tends more towards merging groups in a larger organisation than defining their relations or partitioning their spheres or areas. It is a unitary and integrating process not a disintegrating method. We have also shifted our approach in political science from building general, abstract and absolute theories of the configurations of the state to relative, concrete and special theories of the dynamic processes and behaviour of the state.

### Past Political Theory.

If we make a survey of the past political theory we find that the Greek thinkers identified the state with the society and subordinated the individual to it. They conceived the state and society as one, as a unity and not a duality of the state against the individual, or of the state and the individual. The individual was fused and united with it. Their political approach was secular and worldly. No divine person or natural law entered into its make up, sanction and obligation. A man could be free only in society. Outside it he was only a beast or a barbarian. To the Greeks the state was natural and essential to man. It was prior to him. It came into existence to make life possible and continued to exist to make life good or virtuous.

In the Greek political thought there was a conception of unity and commonness, of absorption and assimilation, between the state and the individual. But in the Hellenistic and Christian political thought a split took place between the man and the state. It advocated a theory of universal community and a law of nature or reason, or a law of God binding on men. But it did not conceive of one world state which would be subordinate to that law. It left men under the control of the state of which he was already a subject in secular matters, and in other matters he was to be subject to the law of reason or God. They started two inquiries, one for what is good for man in this world, and the other for what would be good for him in the next or new world. Christ's utterance "Render unto Caesar what is Caesar's and render unto God what is God's" pithily sums up this attitude. There was to be no conflict with powers that be. He was to obey the state in purely secular matters. In other matters a Christian was free from the control of the state, but must follow the dictates of the Church. Christianity found man's *raison d'être* in the next rather than in this world and located his spiritual home in the city of God or Cosmopolis rather than in the worldly or city state. Man's life was divided into two aspects, one secular, the other religious. Thus a distinction was made between his politics and ethics or religion. In this scheme of thought and outlook the Greek conception of the unity of life and thought was destroyed and a new dualistic conception arose.

Man was not only secular but also spiritual. As an individual he was bound to the laws and customs of the state and community in secular matters, and to the laws and canons of the Church in religious matters. He was not free in both spheres. If he revolted, he became seditious and anti-social in one, and sinful and unrighteous in the other.

There was no theory of human freedom or independent individual conscience possible in this scheme of thought and life. Divinity, Christ and the Bible, and infallibility and supremacy of apostles and papal fathers were its central creeds. Human freedom was only possible under divine grace and man's predestination, and human salvation under papal dispensation and good Christian life.

In the paternal and imperial thought unity between the state and the individual was again restored by locating secular and religious authority in one person. The king or emperor was made divine and the supreme head of the Church and the state. Hence arose the divine right theories of kingship. The rulers inherited their whole authority from God and were responsible only to him. Thus there developed a theory of absolutism based on divine sanction. The kingly power was absolute, indivisible and irresponsible. It controlled all life, both secular and religious. There was no inherent freedom possessed by the individual or group. None had any right to resist authority. His duty was of passive obedience. In this scheme of thought morals and politics which were split up under Christian conceptions were again fused and united, and were brought under one control and direction.

But the liberal thought of the 18th and 19th centuries again created split in the unity of absolutist thought. To it sacred was the man, and sacred was the society. This was its approach to politics. It believed that man should be partly free and partly controlled, free in self-regarding actions and controlled in other-regarding actions. It recognised some aspects of life as social and others as individual, but their line of demarcation was not definite and could not be permanently fixed. There was partly fusion of man and society, and partly their separation, that is of ethics and politics. It accepted that both freedom and discipline were necessary for an individual. The state, though obnoxious, was necessary.

It was a means to remove evil, to maintain peace and justice, to promote happiness and co-operation. The state was however nothing apart from the individuals who composed it and that it had no independent value except such as was realised in their lives. Its *raison d'être* was the establishment of those conditions, physical, moral and mental in which individuals could develop their personalities and achieve such happiness as belongs to their natures. Thus Liberal political theory aimed at an end beyond itself, an end which was ethical. This end could be realised in an environment, social and physical, whose nature it was the purpose of politics to deal with and discover. Good life for the individual consisted in the pursuit of certain moral values. It was the duty of good society and state to offer opportunities for the development of personality. Therefore the good of the man and the good of the state were interdependent. Human ends could be realised with the help of society. The social was also natural to man. Man was not anti-social, but he was partly social, and partly individual.

The idealist thought closed this split and embodied again man in society. It did not think that man could be really free and lead a full life without society. To it the social will was the real will, the rational will or the general will which was true and just. Good life for man could not be realised apart from society. It again fused and interwove ethics and politics. It idealised and idolised the state which was its own end. It was the ultimate end which had an absolute right against the individual.

In the socialist thought this unity of man and society is maintained. Man is primarily an economic animal. He is not free and independent by himself. He can be free and good in a particular system of society and pattern of polity. It emphasizes a particular socio-economic class system as desirable and necessary. Then it believes that the state having performed its historical task will wither away after a necessary but temporary dictatorship of the proletariat.

In the anarchist thought, the institutions of the state are considered naturally free and good when he lives out of social or state control, and where there is no state or ruler, no punishment or punisher. All are good or virtuous enough to protect and to respect one another voluntarily.

Syndical anarchists have developed a theory of producers' control as against state control. It is a case of merging politics in economics. They are against the state.

In the Fascist thought, there is also unity. The state is considered absolute, sacred and total in comparison with which all groups and individuals are relative in importance and their interests are to be considered only in relation to the supremacy of the state. The individual and the group are subordinated to it and its force which are represented by its leader and his party.

### **Analysis of Political Theory.**

An examination of all of these types of thought leads us to ask the question: (1) is there a necessity for the state, (2) what should be its relation to groups and individuals, and (3) is man, group, environment or God the most important as the basic factor in political thought. If we regard the environment, physical and social as given more important, then the problem becomes one of modifying and controlling his desires and behaviours. If we take man as known more important, then the problem is one of modifying and controlling the environment. The first gives rise to types of thought which are authoritarian and absolutist. The other gives rise to liberal and radical schools. If we assume a law of God or nature as fixed and inexorable, known and supreme, then both the individual and state are to be subordinated to that law and its discipline and organisation. Thus to build up a new political theory our survey shows that we shall have to give up our conception of individual and group freedom and then build up a world state, world church or world community which will be the sole authority and will give one law and order for mankind. Here authority of the State or Community will be idolised and freedom will be controlled. This would be a theory of statefulness,—towards—the state movement. Or we shall have to set aside the conception of the authority of the state and idolise the individual and group freedom where there would be no state, but an ideal condition of anarchy. This would be a theory of statelessness—away-from-the state movement. Or we can ignore the unknown force in history—internal and external—and believe in a definite law of historical causation and development and thus help



in the creation of a stable political theory by its automatism. Or we can ignore human consciousness and individual reason and intermingle man and nature in a new materialism or vitalism which would ignore individual mind and soul and thus create a material man for the political theory. Thus we can build a stable political theory on a hypothesis of statefulness or statelessness, or of one type of historical law or of one type of material man. But we cannot build it on the liberal hypothesis of accepting both the freedom of man and the authority of the state, that is, partly state and partly no-state. This is the theory of state-limitedness. Statefulness ignores freedom and statelessness ignores authority, and therefore no conflict between authority (control) and freedom (loyalty) is possible or contemplated. When we contemplate government as essential, rational and good, then no individual freedom is necessary, and no limits on government are required in the interests of individual rights. When we contemplate that man's behaviour is rational and good and is a regular habit with him or is ingrained in him, then no authority for any control is necessary, and no limits on man's behaviour are required. There can be peace, security and good-will without the presence of any restraint, and free association of free individuals will not disturb social harmony and welfare. Both these schools do not assume any hidden and unknown elements in environment or man's life which would disturb their theories of politics. Difficulty arises only when dual, concurrent, or competing authorities and dual, equal or rival freedoms based on the different needs and developments of the society, the group and the individual, or God, Caesar and man, are contemplated and their spheres of control and freedom cannot be completely demarcated. But to build political theory either by idolising the state authority and its moral purpose and then destroying individual freedom, or idealising the individual and his inherent goodness and freedom, and then destroying the state authority will not help us in formulating a new political theory to cover the facts and forces of our contemporary life. Their psychology and sociology are wrong.

### **New Turn in Political Theory.**

Since the last war political theory has taken an international turn. It has become more humanistic and

less realistic. It wants to transcend conflicts—not merely to adjust them between different nations. It has begun to preach ideals of international government, world peace, mutual assistance and arbitration, association and justice. It therefore discusses the methods of organisation and the ideals of an international state or world order and tries to adjust with or weave into it national theories of various types. Christians, liberals, imperialists, socialists, and humanitarians are all doing it with an ideological vehemence justified in those who hold bigotted opinions. Though their aim is a world state, their outlook and methods of its organisation are different. Some are for unitary, some for federal, some for imperial, some for functional and some for regional solutions. Some want a full dominating state, some are for temporary and transitional one party dictatorship, some for permanent dictatorship, some for some sort of an effectual judicial league of nations, some for a new security council of united victorious nations and for continental councils and imperial commonwealths, others for the abolition of any type of political control altogether. All such theories of world order and politics are saturated with conflicting economic interests and political ideas, racial and religious, fanaticisms and forms of organisation and conceptions of moral justice. There are idealists, materialists, absolutists, democrats, utopians and anarchists amongst them. They hardly agree amongst themselves upon the fundamentals of the nature of man, the character of society, the force of environment, and the course of historical development. But with all their political sloganing, scheming and revolutionising, they could not create the conditions fundamentally necessary for the establishment of an international community, without which an international government was impossible. Peoples still thought nationally or imperially. The present war was necessary to change the national sentiment into an international outlook, to create an international force to dominate national forces, to prefer world co-operation and security to national independence and isolation. It is transcending narrow national conceptions and is dominated by ideas and forces of a humanitarianism of a new world order. It may result in establishing a common authority for mankind. If that goal is at all realised, then the new political theory for organising the life of mankind as a whole would be possible.

What lines of theorising and what principles of organisation would it assume can only be approximately stated by a study of new worldly and revolutionary political philosophers. One school is absolutist which leads to the idolisation of the state. The second is anarchistic which advocates the abolition of the state or its automatic withering away after a proletarian revolution. The third is liberal which advocates gradual reform and reconstruction of a new world. The first wants a permanent omnipotent state to reform and teach, to control and punish the individual. The other wants a transitional dictatorial state to remove the evils created by old class state. The third wants a positive democratic state to remove existing evils, to reform the individual, but not to dominate all aspects of human life, and to provide conditions and institutions for individual freedom and social security and welfare. All these schools are proposing federations, unions, regional councils, continental and oceanic orders or imperial dominions and commonwealths for establishing world government.

#### **New Political Theory.**

The present difficulty in formulating political theory on old lines is the new emphasis on world authority in which regional functions and group and individual relations are to be adjusted. The politics of the new world order cannot think in terms of freedom so much as in terms of world unity and security. It has to be more authoritarian and equalitarian in tone and practice, though more liberal and libertarian in its aims and theory. The new political theory should have primarily human purpose. Its aim should be to decrease the racial, religious, economic, social and political tensions lingering in the human world and to build mental respect for different ways of life and to make people understand one another's needs of life. It cannot approve any pattern or form of institutions and laws which contemplate only uniform and unitary standards. It will have to approach the problem of human security, welfare and relations from neighbouring and economic points of view, and organise her structure of institutions from regional and functional points of view. It cannot approach it from purely religious, racial or cultural points of view. No doubt the age of racial, religious and feudal myths and loyalties is not yet over. But these myths and loyalties have no value in a

modern territorial society. If our society cannot solve the problems of its own security and welfare as a whole on human grounds it will decline and perish. Therefore any scientific political theory must postulate a human purpose. All political ideals and functions must receive a social content and must promote social service and social insurance of man in his struggle against want, disease, ignorance, idleness and squalour, and guarantee him a social minima of human life and welfare. Our new state is both a world security and a social insurance service state. But no new political theory can be evolved if the old empires like England, France, Belgium and Holland are going to remain as they are, or if new territorial divisions and acquisitions are to be made on the old basis but under new names of so-called partnerships and trusteeships, security councils and imperial commonwealths, and if new radical rehabilitation of the structure on the basis of common freedom and common security, common equality and common co-operation does not take place, that is, if new collective and democratic authority is not created, and if new common public service or agency is not organised. Any new political theory expects, firstly, the creation of a common one-world authority and citizenship, and a neutral agency of administrative experts in matters of world security and welfare. Secondly, it contemplates a rearrangement of the world political structure into large regional units of territorial contiguity, historical connection and cultural bond, but links them up for purposes of world security and welfare. Such territorial units cannot be based on old conquests and imperial strategies. The problems of world security and welfare will be problems common to all, not more important only to one group and less important to another. There will be no particular regions and areas, routes and canals, roads and rivers, seas and lakes of any special interest to any particular power because she possesses or is otherwise linked up with some territory at the other end of the world. This control or interference over all those and other far off places must be surrendered to the regional or world authority as the needs may be. These possessions and claims based on old conquests or colonisations or conversions are all the root causes of international rivalries and wars. Thirdly, the agents or servants of the new world

order who will carry on the functions of society, peace and welfare must be internationalised and commonly and independently recruited. If this fundamental basis of organisation is accepted, and if the political independence and economic activity are interrelated to the needs of world security and welfare, there will be no cause for any objection and opposition. But if in the name of world security and world welfare certain great powers of to-day who are successful in this war divide the conquered world amongst themselves, retain their old conquests and possessions, and secure military and financial control in the name of the new Security Council of the world, and do not surrender old rights and liquidate their vested interests based on political conquests and financial power, and administer them whether jointly, continentally or separately, then the need of and force behind the new political theory will disappear. Old imperial or fascist theories will suffice to cover the new disguises assumed in the name of the world order. In the new political theory, security will become internationalised, unity territorialised, welfare socialised, independence autonomised, liberty functionalised, citizenship centralised, authority coordinated, functions commissioned, structure federalised, religion neutralised, and cultures harmonised. This will lead to the study and analysis of the problems of the content of security and authority, the fundamentals of unity and the size of the territory or region, the conception of welfare, the nature of independence and the quality of liberty, and in general the nature and functions of the new state, the internal relations of social and political bodies, organs and services.

### Old and New Theory.

The old political theory dealt with a world in which the world community was divided into a plurality of sovereignties whose relations with one another were not related by any effective international law, and into a plurality of rights which were not equalised or integrated by a common citizenship. There was no effective world authority. Since these sovereignties lived with one another in a state of armed camps in which public life was potentially a war of each against all,

politics assumed the form of power politics in an international anarchy. Today the age of Machiavelli and Grotius, Hobbes and Hegel is gone. It is the age of Wilson and Wilkie, Gandhi and Wells. The new theory must recognise world sovereignty. There are only two ways of achieving it, either through force subjugating all to one authority, or through peaceful means by voluntary international federation. One is an imperialist method. The other is a democratic process. We can only accept the latter. We want a world commonwealth, some kind of directing Super-State, an Ober Staat, a Civitas Maxima, a Respublica Humana. It will be a real Platonic search for world justice and a world republic (Cosmopoliteia). A complete international government, as Bertrand Russel says, with legislature, executive and judiciary, and a monopoly of armed force is the most essential condition of world security, and group and individual liberty in a technically scientific world, or as Laski says "a world of competing nation-states, each of which is a law unto itself produces a civilisation incapable of survival." Therefore the nation-state must be considered as a mere province in a world community. For neutralising the desire for self-determination and new political partitions into small units, and for generating a process towards larger regional integration, we must transfer control over economic wealth and political power to the new world security organisation. We should have a uniarchy not a polyarchy in defence and security matters. The power of mischief and aggression by nations should be taken away. The nation is not a permanent unit of human society, possessing absolute values of its own. It is the political unit of a stage of civilisation which has passed through stages of a blood clan, a feudal estate, a church or millat order, a territorial state, an ideological international, and now a world Commonwealth.

### **Criticism of Fascist and Socialist Theories.**

Some theories which are the left-overs or legacies of the 19th century have vitiated our political thought and practice. They think in terms of history as a story of racial, religious or class struggles. They want you to join one side or the other in their schemes of world

reconstruction. As a result we must give up our old territorial frontiers and accept new racial, religious or class-frontiers in every country, unite in a war against other groups and thus create civil and foreign wars till success is attained by their group and the world is dominated by their pattern of socio-political theory and ways of life when the world reaches that end. The school of Fascists advocates the complete dominance of the state for all times. The school of Socialists believes that the state will wither away. One is too despotic, the other is too utopian, to be accepted. Both will therefore be of very little political value. Some neo-marxists and pseudo-marxists assert that politics is a definite science which gives a set of fundamental laws governing the behaviour of human beings organised in society. They also believe in some constants and some standards of human behaviour. To them science and philosophy are one and the same thing. They believe that the world is full of regular happenings, which are not caused by any human being. Human history also proves the existence of such a law of dialectical materialism according to their interpretation. On this they build a definite unilinear course and stages of history through which all human life has passed and must pass. The law and stages of development are definite and determined. On the basis of these they propound their theory of the origin of family and property, state and slavery, the rich and the poor, the owner and the worker, the landlord and the peasant, the capitalist and the wage-earner, and the course of their development. In history they choose only common repeatable facts and wanted facts and ignore unique, unrepeatable and unwanted facts and persons. They neglect the role of man, the spirit of the age, spiritual or religious ideals, artistic inspirations, all of which they subordinate to or derive from economic facts, forces and relations amongst classes. They paint the character of all institutions on the basis of class exploitation and warfare. They talk too much of objectivity when it is itself a projection and aspect of subjectivity, trying to visualise the environmental world. They talk too much of revolution and its technique when human life is primarily and historically a flow and fluctuation. To them human mind is nothing but

the function of a physical entity entitled brain. Therefore the problems of politics are to be approached as scientific problems, noting the laws governing human life. They conclude that man is an economic man, that the master social science is the economic science which is the father of and includes all other social sciences such as history, politics, sociology, psychology, jurisprudence and ethics, that there is one inexorable law of dialectical materialism which is at the root of all social formations and relations and a key to all changes, that there is only one historical necessity and that is the economic necessity, that there is one determining factor and that is the economic factor, and that there are fixed historical stages in all social formations based on and determined by this primary factor. They do not recognise any contingent or individual factors. This monocled vision, and monistic interpretation and outlook covering all knowledge of nature and man in the sphere of social sciences is the greatest heresy of the 20th century, when scientists believe in a pluralistic world, its indeterminate tone, and its multilineal historical development and future possibilities. No historian, anthropologist and sociologist of note now accepts Morgan's and Engel's theories of the origin and nature of family, property and state, and their stages of development. Even the economic forces and tendencies are in the last analysis mental forces, desires, strivings and seekings, all springing from the hidden main-springs of men, their loves and hates. We may ask, if economic conditions and forces are not merely conditioning factors but determine men's ethics and politics, how is the result accomplished? Do men think only economically? What place has economic thought or reason in guiding men's social behaviour? Is man primarily economic? If so, why do men as individuals or in groups miss their own real economic interest? Why do they so easily move in crowds and follow demagogues carried away by a blind impulse? Why are communal and national groups, and public crowds so tenaciously sentimental and anti-intellectual even when their policy and behaviour are suicidal or against their own or even historical economic trends? Are not essential determining factors in their case, their human passions and attachments, their



ideal aspirations and non-economic interests? Economics now cannot hold merely to the hypothesis of an economic man and a determining economic factor. It must take into consideration all aspects of human motives and aspirations and also deal with social values which determine economic choice. Political thought must penetrate and analyse every aspect of communal life as a whole and cannot take the economic factor as the only determining and dominant factor in all social life.

### Synthetic Approach.

There cannot be any divorce between politics and other social sciences such as ethics, psychology and sociology. Economics is not the only or unitary science of social life. Men have their loves and hates, their personal and group loyalties and family affections, their patriotisms and historical instincts and values of social life, their ideals and aspirations, their passion for liberty, equality and brotherhood. Marx and his philosophy belong to the economic period of political science. His main doctrine is that every man pursues the economic interests of his class, that history is a story of class conflicts, and if there is only one class left after a revolution that is the worker's class, every man will pursue the general interest, other classes being liquidated in that revolution. This doctrine has failed in a number of countries. He endows the society as such a mystical one-ness and regards individuals as unreal abstractions. His unilinear vision and dialectical determinism are too rigid for the interpretation of the course of history and modern tendencies of human life.

There are three fundamentals in a study of any social science—(1) the individuality, the peculiar nature of man, (2) sociality—the nature and quality of human social life, and (3) the objectivity—the nature and pressure of environment, material and mental. But the problem becomes difficult when we want to know what fundamentals are more important and what their qualitative relations in a particular phase of human life are. The primary aim of any political theory is to promote the integrating tendency against

the disintegrating tendency present in a plural society. The state is the bond of the territory, not of blood or religions. Political sense is a sense of one-ness and we-ness. It emphasises unity, not diversity. It exists to furnish the necessary guidance, restraint and frame-work to prevent the conflict of interests and to promote common welfare. The government becomes the agency of the adjustment of their claims and aims with those of other groups. We must also note that there are two currents in modern times, one is that of socialisation of a number of functions and an integration of a number of neighbouring regions by means of improved communications and contacts. This leads to a unification of social policies, an adjustment of economic needs, a contact of peoples and a balancing of group cultures. The other is the reaction and revolt of the individual and the group against economic exploitation and moral regimentation. Both are desirable currents. We must not lose sight of the one in the interests of the other in this socialising or regimenting process.

### Aim of the New Political Theory.

The new political theory propopes to eliminate the basic causes of human conflict in the shape of protective agencies, bodies and measures, and in shape of welfare policies, plans, and services, in the shape of educational ideals for creating a common human outlook, and in the shape of social minima and insurances for raising up the standard of human life. Thus, it will start with the conception of a *new State*, revealed in the light of modern needs, as the central point of its speculation. The nucleus of this theory will be humanity and humanitarianism, not individualism, etatism or socialism, nor race, religion or class. It will be primarily interested in achieving social security and justice and in removing social mal-adjustments and moral lags at home, and assuring political security in the world. It will therefore analyse the mutual influence of political institutions, economic facts, and psychological behaviour on the social life of groups and their functions. The conflict to-day is not really between ideas of nation, race, religion, culture, group or class. The real issue is between *realism* of those who believe that outer conditions and forces as they have perceived in history must dictate our socio-economic and political organisation, and *humanitarianism*.

of those who hold that inner human values as perceived by great men and proved in history must be developed until they can take shape as new facts and qualities in social activities and relations throughout the world of practical life. We have quite a large number of proposals based on the acute differences between these realists and humanitarians. The realist may be apparently right in maintaining that the individual by himself is nothing and cannot think and maintain himself in isolation and independently. But he is wrong in denying that the mind of man possesses initiative and inspiration from within and is an essential factor in the growth of every civilisation. The humanist is right in saying that the individual is the creator of values and promoter of inventions, and possesses inspiring qualities and aspiring ideals. It is his welfare that is mainly sought, and no organisation should sacrifice his individual abilities and power for any scheme of social idealism and automatism. We have not only to render unto the state what is the state's and to render unto the society what is the Society's, but also to render unto man what is man's. There is to be no surrender in the process of rendering to the other two. Of course the humanist would be wrong if he were to believe that there is nothing besides or outside the individual and everything which guides his life is inside him.

### **Its Nature.**

Modern political theory is pragmatic, not dogmatic. It bases itself on the verdict of experience and needs of social life as it evolves. It takes into account facts and forces, processes and practices of contemporary peoples. It does not appeal to religion or abstract reason. It takes facts of human nature, human sentiments and emotions into consideration, and utilises acts of human behaviour, human relations and functions, human associations and institutions. The direction in which political thought is moving to-day is not purely idealistic where both authority and freedom are co-ordinated and made interdependent and functional. New political theory will have to be approached from two directions: (1) Starting with the assured social minima to be assured to individuals and social functions to groups, it will lay down conditions for the rightful exercise of coercive power of the state which is necessary to make them possible and real.

(2) Assuming the social purpose and control of the state, it will lay down conditions for exercise of individual rights and group-functions which are necessary for good human life. As both are necessary none could be eliminated or surrendered. In this liberal conception of politics man is not purely a social functionary but a social entity, and society is not a single centralised entity or group in which all lesser groupings or individuals are assigned a definite but subordinate function and status—the aim of the new political theory should be to study and point out the objective conditions and subjective qualities necessary for social security and justice. How can social insurance and welfare be maintained, taking into consideration the contemporary facts of human life and circumstance? It would primarily be a search for assuring conditions of the one and insuring the qualities of the other. As regards the extent of political authority, social sciences look upon the state as only one specialised agency in society, doing that work. It is not considered an omniscient and omnipotent authority. Its only purpose is to make an adjustment of social behaviours in a plural society for common good and welfare and ensure general order and obedience to a rule of law.

Thus Sociology looks upon the state as one organ and agency within the society for enforcing uniformity of behaviour and maintaining order according to social laws. But that does not solve the intricate problems of political theory. It asks in what kind of society can the ideals of freedom and fellowship, unity or security will be realised together. It wants to find out a *Modus Vivendi* between law and liberty, order and progress, authority and conscience, community, group and individual. The state exists to provide the necessary process for this reconciliation and restraint of the conflicting interests and to insure that this process will be a beneficial and not a destructive process.

### **Its Function.**

The state is the indispensable umpire, and regulator of social struggles and of the adjustment of the social process towards social harmony and security, peaceable change and prosperity. It is thus the dominant supervisory power in the social process of group conflict. The actual process

of government is one of advancing or adjusting group interests. It develops an organisational trend towards world unity, an adjustment trend towards social harmony, and ideological trend towards human fellowship. The majority of sociologists views the national state as but a temporary stage in the evolution of political life, and looks forward to the gradual evolution of world state through loose but large regional federations.

The new political theory will have two aspects, one a world political theory, and the other a state political theory in which the state conception is new and revalued. A new world order is struggling to be born and therefore it has to provide for it a philosophical basis on geographical, psychological, sociological, economic, historical and ethical considerations. Thus there is a world aspect and a regional aspect to it. How will the world be organised for common functions and how will it be redivided and reorganised after the war for regional purpose? What will be the changes necessary in our social, ethical and economic outlook and relations to give the new order a sound foundation? Who will be the agents and trustees of this new world and new state that we propose? If the world authority were really established, then there would be no problem of external independence and aggression, security and equality, to be considered by us. All the territorial units, groups, and blocs will become parts of a world security order. Then there would be only problems of adjustment of functions, the settlement of relations between the larger and the small units, and the preservation of internal peace and the promotion of justice and welfare within the units. In short, the political problem will be intra-statal (within the state), not interstatal (between states). It will also be to a certain extent supra-statal (Super-State). Thus the political theory will be super-statal and intra-statal.

The first characteristic of our new political society will be its non-sovereign statehood. Already small states and weak states have lost their sovereign character and seek alliances and understandings with large states. Then why should not large and powerful states be reduced to a non-sovereign position when a world security council will be established? They will get their own security and will not endanger that of others. In order to achieve this any

world organisation must take over and co-ordinate certain common and important activities hitherto controlled by the national state. It should spread in the beginning a net of international activities and agencies over existing political units from the top and thus make international government coextensive with international activities. Then it must co-ordinate common regional or ideological activities and organise them for common functional purposes from below amongst existing political groups. The very aim of political process is to make it possible for people with different views and sentiments who are geographically interspersed, economically independent and historically interconnected to live and work together for common ends. The whole trend of modern political process is to organise government along lines of specific ends and needs according to the conditions of the time and place, in lieu of old organisations on the basis of a division of jurisdictions, rights and powers. This may be seen in the numerous expert commissions and committees, national and international, which are *ad hoc* functional organisations whose work is allotted and expanded according to experience and growing need. They develop certain principles, conventions and procedure for work. This method will help in the growth of international government. We must not fall into the vicious dilemma of believing that we cannot have an international society until all the peoples are free, and that the peoples cannot be free until we have an international society. This functional and regional organisation will help the growth of common outlook and activities, common habits and common interests, and common administrative agencies for the common needs. War-time experience shows that joint commissions and agencies between united nations and allies can perform definite purposes, possessing functional structures. Such an international functional system can develop even without a general political authority. In relation to the new regional state which we conceive, it shall have to deal with its desirable size and structure, its functions, and its relations to local bodies and international groups and to a central organisation for collective security and welfare. Its old foundations of sovereignty, rigid political boundaries, economic autarchy, social exclusivism, group ethics and hard psychology will all have to be considerably modified or discarded. The

regional state will primarily be the social organ for the evaluation of various social interests and settling their relations and functions. Thus in a regional unit the political theory will take a new turn and content and a new interpretation and outlook. Its positive value, however, remains, promoting co-operation and welfare. The new conception repudiates the absolutist conception of subordinating the individual or group completely to the society or the state. It insists upon the preservation of individual and group liberty as an essential factor in civilisation. We do not think that the state will wither away as a co-ordinating or controlling or adjusting agency. We do not think it can be eliminated by any force or method of organisation. It will be there to lay down general policies, to promote common welfare and to administer useful functions.

To-day societies are organised for some sort of liberty, equality and fellowship in national affairs, but not in international affairs. Our political theory must therefore establish harmony between humanity and the political institutions and groups which will make possibly its existence and promote its good. We must develop our spirit of neighbourliness along with our desire of liberty and equality, which are all inter-dependent for the purpose of their realisation. These conceptions are not absolute by themselves, but relative in value. Liberty of a group means that within each type the requisite co-ordination should be possible without the destruction of the general ends of the whole community. Law of any given society is the expression of the social forces driving it. We cannot explain its substance or its working without regard to those forces. It must, however, embody the general ends of happiness and trends of welfare of that society in relation to contemporary needs and aspirations of human

# SYNOPSIS OF PAPERS SUBMITTED TO THE SEVENTH POLITICAL SCIENCE CONFERENCE.

## 1

### INTERNATIONAL SECURITY ORGANISATION AND INDIA.

BY

PROFESSOR H. R. BATHEJA, PATNA COLLEGE, PATNA.

1. It is necessary on the part of India to study the New International Security Organisation adumbrated by the Great Powers at the Dumbarton Oaks Conference though she has not been consulted and to express her views on it since all her economic and political planning for the future will have to be adjusted to it.
2. The machinery of international organisation proposed is not materially different from that of League of Nations. Its view-point is the same. Only its methods will differ in some respects from the old but the crucial difficulty of inducing the great powers to act against their own interests still remains. Since there is less of moral basis and consent and more of emphasis on force, its chances of success are correspondingly reduced.
3. Comparison of the New League with the Holy Alliance after the Napoleonic wars. Both envisage the peace of conquerors.
4. The Holy Alliance's ideals and objects analysed. The Alliance broke on the rocks of colour, religion and the divergent economic and political interests of the Great Powers and so did the old League. Though the latter was more universal in scope, yet it gave disproportionate representation to white European nations and the Imperialistic powers of Great Britain and France.



5. The immediate practical object of the Dumbarton Conference was to control Japan and Germany by means of force. This end and the means suggested for attaining it make the new League an imperfect instrument for attaining world peace as it is not certain that the conquerors themselves will not become aggressors. The insufficient stress on disarmament lends colour to the view. Moral disarmament should precede economic and military disarmament if they are to be successful.
6. Detailed examination of the main provisions of the Conference shows that it does not meet the views and interests of India and the Islamic world. They will have no permanent representation on the Security Council which will be largely dominated by U. K., U. S. A., and Russia who will remain the sole judges of their own interests.
7. Further details of the organisation and its main organs. In this picture, India and the Islamic world do not appear except as dependent clients in a regional arrangement.
8. To safeguard the interests of India and the Islamic countries in the new world, it is proposed to organise them into an Indo-Oceanic Common-wealth through which they might obtain greater justice and freedom from exploitation by the Great Powers of the world, since in any case isolation is impracticable.

## INTERNATIONAL RELATIONS WITH SPECIAL REFERENCE TO THE EAST.

BY

PROFESSOR GORAKHNATH SINHA.

I. The protoplasmic urge for survival as it shapes the behaviour of individuals and the state—self-interest not purely rational—its pros and cons—self-interest

implies will—clash of self-interest and wills and their balancing determines the pattern of international relations—the science of international relations thus more exact due to the motives being more calculable than in most other social sciences.

II. Application of these principles to the local, regional, and world equilibrium in the East—a concrete basis for the Pan-Asiatic movement provided.

## THE FOREIGN POLICY OF TURKEY SINCE 1919

BY

PROF. R. R. KASLIWAL, MAYO COLLEGE, AJMER.

After the conclusion of the War (1914—18), revolutionary changes took place in the Islamic world, particularly in Turkey. Turkey was naturally suspicious of the western states of Europe because of the harsh treatment meted out to her by the treaty of Sevres in 1920. Also Turkey was dissatisfied owing to the adverse decision made by the League of Nations in the Turko-Iraqi boundary dispute which was referred to it for arbitration. In these circumstances Turkey naturally looked to Russia for help. Therefore she signed a non-aggression pact with the U. S. S. R. In 1934 an important pact was signed as the Saadabad Pact. The signatories were Iraq, Iran, Turkey and Afghanistan. It provides for maintenance of good relations amongst themselves. "Between the Balkan League and the Eastern League Turkey occupies an important international position." (Langsam). In 1936. Turkey sought the permission of the signatories of the Lausanne Treaty to refortify the Straits. In other words, what Turkey was asking for was simply the permission to re-militarise her own territory. Turkey has remained neutral in this war. This should be regarded as a great achievement of General Ismet Inonu, the President of the Turkish Republic. The efforts of the arch diplomat Von Papen, to secure the aid of Turkey against the United Nations have proved futile. The Turkish confidence in the

Allies was, however, restored by the heroic struggle of Russia against Germany and also by the Allied victories over the Axis powers in North Africa. From the above, rather lengthy account it would be perfectly clear that Turkey wanted to remain neutral in this war and has managed to remain so. She has played her diplomatic game with considerable skill.

## INDIA'S RELATIONS WITH THE FAR EAST

BY

DR. V. S. RAM AND DR. B. M. SHARMA  
(LUCKNOW UNIVERSITY).

India has never lived in isolation from the rest of the world. Her contact both with the west and the east has been broad-based in several fields, *viz.* cultural and economic, and political. In the cultural and religious field, India has been the religious teacher of China, Japan, Siam and islands of the Pacific. The well-known Orientalism is as much a contribution of India as that of China. Greek ambassadors to India became a sort of link between India and the South-eastern Europe.

In the economic field, India has for centuries been figuring prominently in her trade with the West. European contact with India, the growing trade with the eastern Asia, the emigration of Indians to Malaya, Fiji and other places in the Far East have all brought India into prominence in international dealings. This has received even much greater impetus since the close of the First World War.

The present war has created new problems and and new angles of vision in international dealings. The closer affinity between China and India culturally and economically, during the last two decades, is an important factor to influence the course of international relations between the two countries. Much of India's trade in essential articles, *viz.* food-stuffs with Australia, rubber, tin, oil, nuts, etc., with the Dutch East Indies has linked India's economic interests with those lands.

The Dumbarton Oaks Plan for world security envisages the making of regional understandings for maintaining peace between countries lying within the same sphere of influence. India's traditional love for international peace ever since Asoka's times makes her future role in the maintenance of friendly relations with her eastern neighbours, Burma, Siam, Indo-China, Japan, the East Indies, Philippines, and Australia a very important contributory factor to peace in the Pacific and the Far East, along with the South-East Asia region.

The paper suggests how India has to be vigilant and ever-ready to play her role in this matter. Problems arising out of natural calamities like floods and epidemics are common to India and several far eastern countries. Any regional or international bodies that shall have to be established to tackle these problems as a preliminary to achieving two of the four Rooseveltian freedoms, will have a great importance for India whose active participation will be essential for their success.

While the big five Powers that have been suggested as permanent members of the Security Council under the Dumbarton Oaks Plans shall have to look to India (on account of her resources and man-power) to contribute to the maintenance of peace in the East. That a free India shall have to be given a permanent seat on the Security Council, if the future experiment is not to fail for the same reason as the defunct League of Nations' plan for peace, must be deemed a foregone conclusion if the Security Council is to be really international and not merely European-cum-American Council.

## THAILAND—A STUDY IN INTERNATIONAL RELATIONS IN SOUTH EAST ASIA.

BY

PROF. INDRA DATT SHARMA.

The war in the Pacific and the Japanese Co-prosperity order in South-East Asia has brought into

prominence the hitherto little known kingdom of Thailand. This paper, within its limited space, discusses Thailand's relation, with Japan, China and the Western Powers.

It is pointed out that the mutual jealousies and inertia of the Western powers, notably of England and America, were responsible for driving Thailand into the lap of the Japanese. Thailand has a very strong Chinese minority which has always been a source of trouble and weakness to Thailand in her internal affairs and has been responsible for bitterness between Thailand and China. The paper further points out that England, due to her advantageous position in collaboration with America, could by a bold and decisive international policy and action save Thailand on the side of the Allies and thus prevent the fall of Singapore and the conquest of Burma. The Imperialist Western Powers allowed Thailand to remain weak which fact is responsible for the present situation in South-East Asia. The paper concludes by pointing out that if peace is to be established in South-East Asia then the Thais people must be won. In essence the problem of Thailand is how to make her strong. A strong Thailand guarding the mouth of Me-Khong and protecting the backdoor of Burma and Singapore, will be the bulwark of peace in South-East Asia. Thailand has to be strengthened under international protection and guarantee by helping her to develop a self-reliant national economy, and by permitting the Thais to choose their own form of government after the war. A progressive, democratic and nationalist Government in Thailand is an essential condition of peace in South-East Asia.

## 6

INTERNATIONAL RELATIONS IN THE POST-WAR  
PERIOD, WITH SPECIAL REFERENCE  
TO THE EAST AND INDIA

BY

DR. K. N. V. SASTRI

1. There are at least six good suggestions for the post-war international relations. The League of Nations,

The Federation of Nations, Good Neighbour States, Good-Will States, Banking and Credit Union, and Economic Union.

2. Although these are proposed as alternatives, they are really supplementary. The UNRRA is an example of the fusion of independent ideas.

3. We know that the East of Asia is an independent part of the globe for good or for evil.

4. South-Eastern Asia must be immediately internationalised.

5. India's international states and security depend upon her internal policy and her external relations with powers from Turkey to Japan and from Russia to Australia and South Africa.

6. At any rate India must build up her relations with the Pacific powers like Australia.

## FROM INTERNATIONALISM TO IMPERIALISM

*(A Chapter of Modern Egyptian History)*

BY

PROF. C. S. SRINIVASACHARI.

Egypt's increasing financial difficulties, which were largely due to the extravagance of the Khedives, Said Pasha (1854—63) and Ismail Pasha (1863—79) and also to the difficulties experienced by the Tewfik Pasha (1879—92) and Abbas II Hilmi (1892-1914) led to an international control exercised over the Egyptian administration, which was unhealthy in many respects. There were several strikingly changeful phases of this control in which, at first the British showed indifference and the French the opposite attitude. The suzerain pretensions of the Turkish Porte, though always ineffectual, persisted and complicated situation.

The worsening of conditions in Egypt in 1811-82, the rebellion of Arabi Pasha and the armed intervention of Britain, though qualified by the plea of unwillingness to interfere put forward by the Gladstonian Government—these led to the permanent, though veiled, British occupa-

tion of Egypt and garrisoning of the Sudan. The rule of Lord Cromer, popularly as "The Maker of Modern Egypt," rendered British occupation as mild from the financial point of view as it was possible to make it and as beneficial to the Egyptian people and Government as has been revealed in any phase of imperial history through the ages. Cromer's rule and the traditions set up by him along with commitment of the British to an occupation of the country that gradually led to the Protectorate of 1914, constitute an interesting supercession of unscrupulous internationalism by a fairly conscientious display of imperialism. The Protectorate of 1914 was followed by an exhibition of rationalistic forces and succeeding events logically led to the recognition of Egyptain independance with reservations.

## 8

## THE FUTURE OF COLONIES.

BY

DR. SUSHIL CHANDRA SINGH

This article deals with the Future of Colonies. There are so many proposals for the solution of this vexed problem. In my opinion a modified form of the Mandates System is the only practical solution of the Colonial problem. The League's Mandate System has been in existence for the last 20 years. During this time efforts have been made to elevate the standard of the native population and make them see the benefits of modern civilization. It is true the people of the territories concerned are not fully satisfied with the administration of the mandatories. But that is no fault of the Mandate System as such. If the constitution of the Permanent Mandates Commission is overhauled and more authority given to it, there is no reason why it should not prove the best institution so far devised for the welfare of the colonial peoples. In order to effect the necessary changes I have made certain proposals in the body of the article.

The latest proposals for the government of the colonial peoples emanate from Lord Hailey. He supports the establishment of Regional Councils for the different areas of the world. Lord Hailey has devoted a few paragraphs to the same point in his latest book—*The Future of Colonial Peoples*. It is unfortunate that he has

not thrown sufficient light on his new plan. We fail to understand what improvement there is in the new system of Regional Councils. The Regional Councils would meet the same fate unless they are clothed with sufficient powers to deal with the problems of the colonies. Mere association of the natives in an advisory capacity would not do. If the Councils are to play a vital part in the administration of colonial peoples, they should be given full facilities to study the native problems and should have a final say in colonial affairs.

## 9

## THE FUTURE CONSTITUTION OF INDIA

BY

DR. E. ASIRVATHAM

The Coupland scheme has been before the public for sometime now. Although it claims to be only of an exploratory character, it is much more than an academic scheme from the pen of a Professor. The heart of the scheme is Regionalism. Its one governing consideration is the placating of the Muslims by providing them with their own homelands in the North-West and North-East and securing for them 50 per cent. representation at the Centre.

India is to be divided into four Regions on the basis of river basins. The Indus Region and the Delta Region are practically co-terminous with the North-Eastern and North-Western Pakistan. The Deccan is a conglomeration.

Among the advantages of the scheme claimed by the author, the important ones are: (1) that it is an *economic* and *social* approach rather than *political*; and (2) that it will bring to the Centre Provinces and States which have already been fused and unified into Regions.

The scheme is altogether artificial. If the economic approach is the right one, an All-India Union will seem more suitable than for different Regions. Also, socialistic planning will be more in consonance with the needs of the country than the kind of capitalistic planning envis-



aged by the writer. Socialism, not communism, may well be the solution to communalism.

Regionalism has been a failure where it has been tried—in France, Spain, and Italy. It is a “a tender plant and takes time to grow.” Living along the same river does not create a bond of unity in the same way as common language or common religion. It does not “respond to the call of history or tradition or culture.”

The machinery proposed is top-heavy. The author contemplates a kind of confederate Centre known as an Agency Centre. Yet he claims that it will be a real Government, executing its own orders and paying its own way. A purely Inter-Regional institution cannot be anything more than a glorified confederacy with the danger of falling apart on the slightest excuse or provocation.

## II

The Gandhi-Jinnah conversations have ended in nothing, although they have helped to clarify the position of the two leaders. Both agreed on separation, but differ as regards the method of separation, the territories to be separated and the time of separation. Gandhi wants independence before partition; partition only of territories where Muslims are contiguous to each other and are in a majority, a plebiscite of the entire population in the area, and a Central Board of Control or Administration for Hindustan and Pakistan, to all of which Jinnah has his objections.

## III

It is perhaps too late in the day not to concede Pakistan in some form or another, provided a just agreement can be reached as regards the boundaries of the new State and the composition and character of the Central Government. From the Punjab it will be necessary to exclude the Kangra District and the Ambala Division. The Sikhs in the Jullundur Division and the Amritsar and Gurdaspur Districts may be allowed to have complete autonomy within the North-Western zone. The whole of Bengal, including the Hindu areas (Calcutta, 24 Pargans, and the Burdwan Division), may be allowed to form a single State because of the strong bonds of race, language, and

culture between the Hindus and Muslims. In such a case, the constitution should be along the lines of the Swiss constitution with a definite proportion of seats for the Hindus in the legislature, executive and administration. There should be a composite ministry: and some of the important posts like the Presidentship and Prime Ministership should alternate between the Hindus and Muslims.

The Centre may partake of the nature of both a federation and confederation—a federation as regards defence, foreign policy, and customs, and a confederation as regards communications, food, economic planning, etc. There should be a system of checks and balances as between the organs of Government at the Centre as well as between the Centre and the component units, making use of some of the American constitutional devices. A mere League or loose alliance at the Centre will be worse than useless.

If we adopt the Regional plan of Coupland, there should be five regions, instead of four. If the representation at the Centre is to be on equal basis each one will get 20 per cent and the two Muslim states together will get 40 per cent. If this does not satisfy them they may be regarded, say for the next 25 years, as equal to the other three Regions for purposes of representation at the Centre. The five Regions or the two States should agree to declare the constitution at the Centre as inviolable for the next 30 years, changes being made in the meantime only with the unanimous consent of the parties concerned. No part of India is to be allowed to stay out, but every part will have the right to secede at the end of 30 years.

The eventual goal is a union of multi-national, linguistic States.

## 10

### THE FORM OF THE FUTURE INDIAN STATE

BY

MR. A. AVASTHI

A problem that will call for highest statesmanship on the part of our leaders at the future constitution making body is: what form should the future Indian State assume? The Muslim League demand for Pakistan has

made the confusion worse confounded. An attempt is made in this paper to decide the form of the future Indian State in a way which, it is claimed, should satisfy the 'legitimate' aspirations of the Muslim League as set forth in the Lahore Resolution. The paper is written in the background of the failure of Gandhi-Jinnah talks with a view to discover if a settlement with the Muslim League is possible.

The main points discussed in the paper can be summed up as follows :—

1. The creation of homogeneous units on linguistic and communal basis. In order to satisfy the Muslim League demand for a Muslim 'homeland,' it is suggested to divide the Punjab in two parts—Western with Muslim predominance and Eastern with Hindu-cum-Sikh predominance. River Sutlej can roughly be a dividing line. Similarly the division of Bengal into Western Hindu and Eastern Muslim including the district of Sylhet taken away from Assam is suggested.

2. The right of a unit not to accede to the Federal Union which is to be created by a treaty entered into by all the units, is granted provided 60% of the members of Constitutional Conventions, set up in each province to decide this issue, vote for it.

3. The right of the non-acceding provinces to form a separate union of their own has been granted provided they form a contiguous territory. The Cripps offer, the Rajaji Formula and Gandhi Offer, all grant this right.

4. A provision is to be made to allow the non-acceding units to come back in the fold of the Indian Union. Such move is to be definitely welcomed and encouraged.

5. The right of the acceding units to secede from the Union is not granted as it will turn the union into a mere alliance.

6. As regards the need for a common organisation between different unions if such unions are set up as suggestion is made for a treaty between the different unions to deal with the matters of common interests on the model of the treaty provided for in the Cripps offer to decide the outstanding issues between India and England.

We grant that the arrangement set up above may seem too much of a compromise but we proceed on the thesis, that compromise is the essence of democracy and magnanimity in politics is not seldom the highest virtue.' The paper closes with a note of optimism for the future.

## 11

## THE COUPLAND SCHEME.

BY

PROFESSOR D. N. BANNERJEE

The object of this paper is to examine the scheme of the future Government of India which Professor R. Coupland has outlined in his work entitled *The Future of India*, and also, very briefly, in his lecture delivered before the East India Association, London. Reference has also been made, in the connection to his views on the question of the partition of India as contemplated by the Muslim separatationalists, since they constitute a fundamental basis of his speculations. The merits of his scheme of Government have been duly noticed, and its defects have been shown. The conclusion reached is that Professor Coupland's scheme, taken as a whole, will not really solve our communal or constitutional problem; nor will it work at all satisfactorily. It will make the Centre very weak and, at times, impotent. The system of Regional Governments will be a cumbrous and superfluous addition "to the already complicated structure of Indian Government." It will be like the proverbial fifth wheel of a coach. All the arguments which the learned Professor has put forward in support of his scheme of Government, really point to one conclusion, namely, the necessity of the establishment of a properly devised All-India Federation, composed of autonomous units with adequate safeguards for all racial or religious minorities in India, in respect of their economic, political, religious, cultural, administrative and other rights. This will be the only right solution of the Indian problem—and not any partition of India as envisaged by the Muslim League nor again, any regionalism as suggested by Professor Coupland.

## 12

RE-ARRANGEMENT OF UNITS IN THE INDIAN  
FEDERATION.

BY

MR. R. COOMAR

That the future welfare of India lies in the establishment of an All-India Federation has been accepted practically on all hands. It is in regard to the exact solution of the many problems arising out of the Federal scheme that controversies and conflicts arise. One of these problems is the re-arrangement of the political boundaries of the units in the Federation. Inside British India, provinces have been carved out on no scientific plan. This must be done now, if the federal scheme is to give contentment to territories. The Indian States, by virtue of the vast differences in their size, population and economic issues, also have to be grouped into confederate groups to form units in the federation. Not many of the States, but only a few of them, can enter the federation as units by themselves.

The following principles have to be borne in mind in rearranging the political boundaries of provinces or regrouping of States for purposes of forming the Federation, linguistic and cultural homogeneity, religious and communal basis, social and economic factors, and political, historical and administrative factors and efficiency. The present provinces of British India do not follow these principles, for the Madras Presidency and the Bombay Presidency, to speak nothing of the Punjab, are examples of unscientific arrangement. That accounts for the insistent demands of the Andhras, for example, for constituting of an Andhra Province of the Telugu speaking areas. The same may be said regarding separating the predominantly Hindu and Sikh eastern districts of the Punjab and their amalgamation with the Delhi Province.

A Boundary Demarcation Commission consisting of impartial and neutral persons should be appointed to go into the details of demarcation of boundaries of provinces of British India and the regrouping of the smaller Indian States.

In attempting to recognize the federating units, certain interests, establishment of universities, Agricultural Research Boards on regional basis, and similar other institutions to look after and promote the common interests of adjoining units, have to be kept in mind. Similarly, by the grant of necessary power to neighbouring units, problems of their economic development can be successfully tackled.

In this task the experience of the federations and unions existing in the world can be utilised by our constitution-makers. Switzerland, with her diverse racial and cultural, religious and linguistic, differences, has been able to satisfy the particularist tendencies of the cantons by the largeness of units, *i. e.*, twenty-two in a small country. Canada has solved her problem of nationality differences, coupled with linguistic and religious differences. But the most important lesson is afforded by the U. S. S. R. where a multi-national and multi-linguistic Federation with cultural autonomy is the basic principle.

## 13

**“THE PROBLEM OF CONSTITUTION-MAKING IN INDIA”**

BY

PROF. N. R. DESHPANDE, FERGUSON COLLEGE, POONA

Constitution is the fundamental law of the State and as such it is the character of the constitution that determines the extent to which the state serves its purpose—of creating conditions of good life—for the community. Constitution-making is primarily a political task of providing suitable political institutions corresponding to the changing socio-economic patterns of a dynamic society. A small body of jurists or constitutional experts is unlikely to produce a political outlook which may properly envisage the need of social and economic revolution in Indian life.

India's right to self-determination in the matter of constitution making has been unequivocally declared by the British Government in the Cripps Declaration and this puts India's capacity for practical statesmanship to public test as never before.

Prof. Coupland assumes that the main problem in India is the conflict between the Congress and the Muslim League representing the two principal communities, the gulf between which has now become too wide to be bridged. He, therefore, suggests the adoption of statutory composite cabinets of the Swiss type and general political and cultural safeguards in the provincial administration. The organisation of the centre, which is the crux of the problem, is proposed to be based on a scheme of Regional Unions, preferably on a river-basin basis, so framed as to attain an even communal balance at the 'weak' inter-Regional centre. The breakdown of the Gandhi-Jinnah negotiations on the problem of creating independent and sovereign states in the North, leaves little ground for hope for the Coupland scheme. A constitutional structure which emerges out of secret negotiations between a handful of leaders, irrespective of the mass of people, can hardly be stable or democratic.

Parliamentary democracy is considered to be unsuitable to India. Some of its critics propose the Swiss alternative. Others in England suggest that further political reforms in the parliamentary direction should be postponed until India develops herself socially and economically and is fit to enjoy parliamentary democracy. True democracy, however, is not necessarily of the parliamentary or the Swiss type. It implies political freedom, social justice and economic equality. The successful culmination of India's struggle for freedom depends upon the adoption of effective weapons in the form of the objective of social and economic democracy. Soviet experiment in constitution-making has much to commend itself to all lovers of democracy.

## 14

### THE COUPLAND SCHEME

BY

DR. J. N. KHOSLA

Coupland's Report on the Constitutional Problem on India, Part III (The Future of India) has been given considerable importance in India.

The Professor diagnosis that the crux of the Indian problem is the cultural conflict between the Hindu and Muslim philosophy of life and of resulting political conflict between the Congress and the Muslim League, the two main parties representing the two communities. In the days of autocratic British rule in India, argues the author, toleration was imposed by a neutral authority; but the process of constitutional advance towards democracy had been accompanied at each one of its stages by an almost automatic growth of communal self-consciousness and antagonism: however, the present intensification of the Hindu Muslim Schism has not been in the same degree automatic result of the attainment of a new stage in 1937; it was not the new constitution but the mistaken way the Congress leaders worked it, that caused the sharp and swift revulsion. This diagnosis is not altogether correct. The conflict is certainly due to the development of political and national consciousness of the Muslims as also to the inherent defects in the constitutions imposed on India and the presence of the foreign rulers. In fact, it has not been fully realised that the Muslim League is a part of freedom movement in India.

Professor Coupland's analysis of the arguments for and against Pakistan is more scientific, though not absolutely above criticism.

The constitutional scheme, based as it is on faulty premises, is not free from many faults. The proposed re-division of India into regions is artificial and unsound; the "three decker" arrangement of government is not only without parallel in history but would also prove unworkable in practice; the solution of the problem of the Indian states and the place assigned to them in the 'Agency Centre' is unsatisfactory; the Swiss model of executive will not suit Indian conditions.

What is needed in India is a fuller rather than lesser dose of democracy. But our democracy must be based on the mutual consent of all component parts of the body politic. India does not consist of two or three nations but of many nationalities, each one of whom must have a full share in the shaping of India's destiny, guarantee of the right of self-determination, and a fully autonomous homeland. The constitution of free India must be based



on the recognition of the principle of equality of the various nationalities. For, then alone we can create a united and well-knit India. We cannot agree with Prof. Coupland and leave the task of constitution-making to a few leaders, but we must associate with them the masses. Such is the lesson of history.

## 15

“THE OUTLINES OF A CONSTITUTIONAL  
SCHEME FOR INDIA”

BY

PROF. P. N. KIRPAL.

1. The objects of the new constitutional system should be

- (a) Unity achieved on the basis of mutual agreement and ultimately on mutual trust and good will ;
- (b) the setting up of a strong enough machinery to plan and direct schemes of economic development with a view to raise the standards of living of the people ;
- (c) the building up of a society in which freedom, in its broadest and most comprehensive sense, is valued and pursued; and
- (d) the active co-operation of India with other Asiatic countries and with the rest of the world in international organisations, set up to establish world-peace and to co-ordinate the various efforts for the achievements of (b) and (c) above.

2. The various steps by which a working unity could be maintained are described. The starting point must be the principle of self-determination and plan of mutual agreement backed up by the community of material interests.

3. The transformation of a rather limited working union into national unity should be brought about by operating a scheme of economic development for the raising of standards of living, Hindus and Muslims could

share equally the control of this planning agency for a fixed number of years; during this period a common outlook and a proper appreciation of economic factors will gradually emerge.

4. The methods by which the various kinds of freedom can be securely and solidly established are discussed briefly.

5. International organisations may, to some extent, be used to smooth internal differences. A sense of pride in the prestige of a free and united India in the society of nations should be helpful in promoting national unity.

6. The Indian States must ultimately conform to a democratic pattern, but princely autocracy may be used in the beginning in the task of economic reconstruction, provided the princes fall into line with the rest of India.

## 16

### QUO-VADIS, THE PROBLEM OF COMMUNAL UNITY IN INDIA

BY

PROF. M. V. KRISHNA RAO.

India, a multitude of compact national groups each with a different out-look and objective, preponderance of nationals in one compact block, scarcity in other part, tend to make assimilation of solid, conscious, minorities-difficult. A policy of coercion and discrimination is doomed to failure—deliberate adjustment of territory and redrawing of frontiers. The method of decentralisation on a Federal basis, the separation of education and cultural functions of Government from the purely administrative and technical functions are considered as well the Gross-maum principle of supernational formations, the multi-national state is best suited for India, based on the neutralisation of religion, abrogation of national political sovereignty and by mental change achieved through a continuous process of education.

## 17

RAJGOPALACHARIA FORMULA—A SOLUTION FOR  
COMMUNAL SETTLEMENT.

BY

PROF. P. N. MALWAN, DOABA COLLEGE, JULLUNDER

The breakdown of Gandhi-Jinnah talks has wrung, for the time being, a curtain over the greatest drama of national unity in India. The two leaders met, talked for over two weeks, but round and round, never converging. The failure of Gandhi and Jinnah to evolve an agreed solution has saddened the hearts of millions of people in India.

An attempt is made in this paper to make a dispassionate study of the causes for this failure. The stand taken by each reflects how vast and fundamental differences exist between them. The breakdown was not due to prejudices or certain complexes; it was the result of a conflict between the premises, approach, and ideologies.

An analysis of Raja-Gandhi Formula is made with a view to ascertain the reason why it failed to satisfy the basic demands of the Muslim League, as envisaged by the Lahore Resolution of 1940. Gandhiji's compromise towards the close of their negotiations as manifested in his new proposal is also examined in the same light.

The paper then examines Mr. Jinnah's Pakistan as explained by him during the course of the negotiations and his subsequent press-interviews. Pakistan as a democratic urge of the Muslim masses to carve out free and independent states of their own in the contiguous territories, where they are in absolute majority, is recognised as a genuine and just demand, but the undemocratic methods by which they want to achieve their object and the claim over certain territories where they are not in a majority, is considered objectionable. Pakistan is the due of the Muslims. It cannot be rightly withheld for long. It is the only way for achieving national unity for freeing India. Suggestions are made to show how the dead-lock may be ended.

## 18

**"COALITION CABINETS, ECONOMIC REGIONS  
AND AN AGENCY CENTRE FOR INDIA"**

BY

PROFESSOR V. K. N. MENON.

This paper is an examination of three major proposals in Professor Coupland's recently published report on Indian constitutional reform. It is pointed out here that (1) the proposal for statutory coalition cabinets is admittedly based on Swiss experience. But, in Switzerland, only the term, not the coalition character of the executive, is statutory. And it is not an all-party coalition, and its success depends on the dominance of one combination. A fully statutory coalition cabinet will make government impossible (2) The four economic regions proposed have less economic unity and desirability than is assumed. Further, as equal political units, they are unjust to the majority community, while, even as of unequal status, they will not have the requisite political homogeneity. (3) But the idea of an Agency Centre, in itself, is worth considering in view of India's size and linguistic diversity.

## 19

**19. THE BASIC IMPLICATIONS OF PAKISTAN**

BY

DR. N. C. ROY.

1. The object of the paper is to study only the basic implications of the Pakistan demand and not to enter into the history of the movement nor to discuss the details of particular schemes so far propounded.

2. Pakistan idea is based on the theory of separate nationality of the Muslims and their right to self-determination. Issues are not joined in this regard in this paper. It is, however, pointed out here that the exercise of self-determination in its political sense calls for the ownership in full sovereignty of certain territories. The Muslims regard the Provinces in which they are in a majority as their homelands. This

assertion is countered in this paper wherein the standpoint is taken that there is no territory in India to be described as such.

3. The Lahore Resolution provided for the protection of minority rights in Pakistan. But the League has not thought it wise to define them yet. The emphasis on the phrase "Muslim Homelands" seems to indicate that the Muslims will regard these territories as Dar-ul-Islam in which the government will be run according to Islamic laws and traditions. In other words, it may be apprehended that the non-faithfuls in these areas will have no rights as citizens. The paper provides details with regard to Muslim thought and ideals in this regard.

4. Exchange of population has been suggested as a way out of the tangle. But the paper refers to the difficulties of such exchange and emphasises the misery and hardship which exchange of population between Turkey and Greece and between Bulgaria and Greece created after the last War.

5. There are indications in some of the schemes of Pakistan and in the speeches of Mr. Jinnah that the establishment of Pakistan in the North-West and in the North-East will not satisfy the Muslims. As a result of the acceptance of the Pakistan principle, the whole of India will be thrown into a melting pot.

## 20

### A CONSTITUTIONAL SCHEME FOR INDIA BY A HISTORIAN

BY

DR. K. N. V. SASTRI

1. India's national aspirations and international status as a member of the British Commonwealth of Nations require to be written down at once in a fresh document as is customary in British history.
2. The real problem is neither liberty nor integrity but security.

3. The general principle of the security reveals the danger of tolerating too numerous nation-states, many of which are not fit to exist. We should all be safer and happier if they were fewer.
4. Liberty and integrity are matters of the goodwill of the British Government towards the people of India.
5. (Details of the reforms).
6. The initiative lies with Indians according to the British statement.

## 21

## THE INDIAN STATES: THEIR FUTURE.

BY

DR. B. M. SHARMA

Of the many problems now facing the people of India in regard to the making of the future constitution for the country, that of the Indian States is, to my mind the most complex and, for that reason the most important. In this paper the causes of the Indian States, so far remaining aloof from the rest of India have been stated: general fear in the minds of the Princes to come into closer contact with democratic British India, the deliberate policy of the British Government to follow "divide and rule" principle, the British Government's anxiety to use the States for their own interests, and the lack of interest among the subjects of the States to come into line with their fellow-men in British India.

The willingness of the Indian Princes to co-operate in the establishment of an All-India Federation at the Round Table Conference, and their subsequent hesitation to put forward reasonable basis to enable the establishment of the Federation as outlined in the Act of 1935, have been discussed. It is suggested that their is no clear community of interest among all States for their relations *inter se* and their interests inside the Federal plan are not all alike. The main difficulties are, undoubtedly, the question of retaining their much

exaggerated sovereignty and the continuance of their direct relations with the Crown, even after they have entered the Federation. The nature of their sovereignty and its unilateral infringement by the British Government, have been examined. From Manipur to Hdyerabad has been a long distance. The time and circumstances factor, as recently admitted by Professor Coupland, as valid ground for re-statement of the nature of Princes' sovereignty, has been analysed. The place of Crown, now and after the establishment of an All-India Federation, has been established. It is submitted that the Crown as the paramount Power in theory has been entirely different from the agency of the Crown in practice, so far as the actual conduct of relations with the states are concerned.

The paper then puts forward concrete proposals regarding the safeguarding of the independence of the Princes, co-ordinating at the same time their common interests with British India inside the Federation. It is suggested that the Princes' notion of sovereignty needs a new angle of vision in view of the international forces generated by World War No. 1 and the present War. The latest development of the idea of One World may be fanciful in certain respects, but in several respects it is the hard reality for the future. Scientific researches, economic inter-dependence of all nations, so manifestly clear in these years of war, are forcing on mankind the need of giving up isolationism and the development of community of human feelings, needs and activities. The Indian States, ever since the conclusion of the First Great War, have been brought more and more into contact with British India and the outside world. Where is in the circumstances of the World of to-day the absolute sovereignty of States or Dynasties? Where is the protecting power of the Crown as pitted against the larger interests of the country of the world? The paper attempts to answer these questions and makes suggestions how the future of the states can be brightened by their joining the Indian Federation for all purposes of common interests.

Cases of necessary connection have been cited to indicate how so far the Paramount Power has discharged

its obligations to the States and to what extent the Princes have been benefited by the unilateral enforcement of the British Government's will on the States. In conclusion, it is asserted that the separateness and aloofness so far practised by the Princes has been to their detriment and that their fullest co-operation with the rest of India is definitely in their true interests and for the welfare of their subjects.

## 22

## A CONSTITUENT ASSEMBLY FOR INDIA

BY

S. K. SINHA, M.A.

The most important problem which is to be tackled by the framers of the constitution for India is the question of the body which will frame a constitution. It is submitted that a constituent Assembly is the best organ for this purpose. The Congress has put forward the demand for a constituent Assembly for the following reasons;—(1) It is the only democratic method of framing a constitution for India. (2) It affords the best possible method of solving the communal problem. This demand of the Congress has been condemned by the Muslims and Mr. Jinnah calls it a body manouvered and managed by a Congress Caucus. The relative merits of these are examined.

Coupland has criticised the method of framing the constitution by a constituent Assembly as impracticable and visionary. Theoretically it stresses purely the numerical aspect of representative government and practically it would mean a body elected by uneducated masses both of which are bad. He further goes on to point out that a larger body is not suitable for framing a constitution.

The contention put forward is in support of a Constituent Assembly elected by adult suffrage with certain reservations for the minorities. This big body should divide itself into various committees which will individually deal with each important aspect, e. g., the communal problem, which should be referred to a



Board of Arbitration the members of which though the nominees of Hindus and Muslims, will be neither themselves Hindus nor Muslims; a Committee to deal with the problem of Indian States, and so on. The organisation of the Committees will be on communal basis as well.

## 23

## THE FUTURE OF THE INDIAN CIVIL SERVICE

BY

GUR PRASAD SRIVASTAVA.

The Coupland Report devotes a few paragraphs only to the problem of Indian Civil Service and does not go beyond saying that most of the All-India Services would be provincialized as only Foreign Affairs, tariffs, and currency would be left in the hands of the central civil service. But as it is open to some very serious objections, it is not likely to be adopted by the framers of the Indian constitution. The "agency centre" has been assigned a very small list of subjects to administer. On the other hand, the Government of India Act, 1935 assigns a very large list of subjects to the Federal Government. There is no doubt about the fact that the Government of India would have to be a federal one if it is not to lead to civil war in this country. But a good number of subjects can be conveniently assigned to the provincial governments. The Federal Governments would recruit and control the Federal services for administering the subjects assigned to it while the provincial Governments would recruit their own services.

Even as early as 1924 this reform was suggested before the Lee Commission. The Commission could not accept it *in toto*. It, however, recommended that in the transferred half of Government most of the All-India services should be provincialized. But some members of the I. C. S. were to be retained in the transferred departments and they were recruited and controlled by the Secretary of State. At present, an anomalous situation prevails. A large number of the members of the I. C. S. work as the agents of the Provincial Governments but they are recruited and con-

trolled by the Secretary of State. This defect has to be remedied.

Under the changed conditions, Indianisation is a foregone conclusion. The salaries of civil servants would also be reduced. With the disappearance of the foreign element the statutory safe-guards provided in the Act of 1935 to protect the members of the Indian Civil Service would become superfluous.

For long the Indian Civil Service was the administrative service as well as the Government of the country. But, however, it was the British members of the service who could rise to the highest posts in Government. This produced considerable dissatisfaction among Indian members of the service. But in the new constitution the civil service would have to be assigned administrative functions only and would act as the permanent element in government. The quality of the civil service would also have to be improved as it would have to face harder tasks than before in a politically reconstituted India,

In conclusion, a few reforms are suggested so that the Indian Civil Service might compare favourably with the Civil Service of other progressive countries. The Government have appointed Mr. F. H. Rowland, I. C. S., (Retired) as Special Officer on duty in the Home Department of the Government of India to collect data and prepare a scheme for the re-organization of the civil service after the war.

## 24

### INDIA AND IDEAL OF THE NATION-STATE

BY

MR. S. VENKATA DESIKA CHAR.

The demand for Pakistan is based on the claim that the Muslims in India are a nation and that every nation has a right to statehood. Here, an attempt is made to examine the validity of these claims.

Whatever its services in the past, the ideal of the nation-state, it is found, has become a divisive and separatist force while political and economic forces and world movement are taking us beyond the frontiers of the nation-

state; from the cultural point of view, it has only given rise to the chauvinism of the majority group and the persecution of the minorities; it is inimical both from the point of the nation and the humanity at large. Nationalism whether based on religion, language or culture, should, therefore, be taken out of politics; the ideal of the nation-state should be definitely abandoned; and the frontiers of states should, in future, be based primarily on the economic, political and geographical needs of communities. As for right of self-determination of communities, it is contended, that this may have to be partially or wholly denied in the interests of humanity at large even as individual liberty is curtailed in the interests of the community.

The Pakistan movement, it is concluded, is based on the declining concept of the nation-state; it will do good neither to the Muslim nation nor to other nations inhabiting India. The future Indian state should be constructed on a truly non-national basis without doing violence to the cultural needs and requirements of the smallest of the national communities inhabiting this vast sub-continent.

## 25

## THE PAKISTAN SYLLOGISM.

BY

REV. F. EDGAR O. C.

*Every Nation has a right to become an Independent State,  
The Muslim Community in India is a Nation,  
It has, therefore, a right to become an Independent State.*

The first premise is no other than the well-known *Principle of Nationalities*.

To the XIX Century, which mistook the Nation for the *embryo of the body politic*, this principle could not but be an axiomatic truth. It is self-evident that to prevent the body-politic from growing into a State would be to unduly interfere with the natural course of things. Hence was the right to political independence acknowledged as an inalienable birthright of the Nation.

But when it was at last discovered that the two apparent synonyms, Culture & Civilisation, cover two

diametrically opposite realities, the XX Century revised accordingly its notions of Nation & State. It became clear that far from being the body-politic in its embryonic stage, the Nation is but the *Womb of culture*, and that it would be preposterous to maintain that from such an a-politic body political rights could accrue. The New Principle of Nationalities, the only one on which a solid argument for Pakistan can be built, was born.

According to this Principle, the claim to independence is only admissible as a *casual right* which falls to the Nation, when its lawful owner, the State, forfeits it by misusing it to interfere unwarrantably with the Cultural Rights of the said Nation.

Many safeguards have been devised to prevent the State from thus endangering the cultural life of a Nation. Such are the inscription of cultural rights in the Constitution, of States, and the granting of Autonomy to Provinces that coincide with the homeland of a Nation; others could be the creation of a Chamber of Nationalities at the Centre as an Upper House, or even, once all the States of the World are organised into an organic Society of States & Nations—a guarantee from this Society, as trustee of the Commonwealth, that it would allow no undue interference by the State with the culture of a Nation.

It is only when these safeguards prove of no avail that a Nation has a right, in order to save its own culture—its only *raison d'être*, to claim political independence. It should then be clear that the State has forfeited to the Nation such right of sovereignty, otherwise the Nation's claim is void.

The exercise of this acquired right is however subject to the rights of co-nations or the viability of any successor State not being jeopardised by the contemplated secession.

The Minor Premise offers no difficulty. The Muslim Community in India answers so well the descriptive definition of a Nation in International Law that there is no reason why the Muslim claim to be a Nation should not be gracefully acknowledged.

The Conclusion will then hold good if all conditions implied in the Principle of Nationalities find themselves already fulfilled in the present case.

Pakistanists infer from the past attitude of Congress Ministries in the Provinces that the future All-India State will be hostile to the Muslim Nation.

Firstly the facts alluded to should be investigated properly.

Secondly—if found true - their import should be ascertained.

Thirdly—if the facts are such as Pakistanists claim them to be, and it can be taken for granted that the Majority in the new State will be hostile—it must be proved that the safeguards will be of no avail against the hostility of the ruling Majority.

Fourthly—if this has been proved—there remains only for the Pakistanists to prove that the secession of the Muslim Nation will not endanger the viability of the successor States, and their claim will be established.

## 26

### CIVIL LIBERTIES IN INDIA

BY

DR. G. N. DHAWAN, LUCKNOW UNIVERSITY.

In this paper the implications of the terms 'Liberty' and 'Civil' 'Liberties' have been examined and the present state of affairs in India in relation to Civil Liberties has been discussed. Finally, suggestions have been made as to how Civil Liberties may be enlarged in our country.

## 27

### LIBERTY OF THE PRESS IN INDIA

BY

PROF. V. D. MAHAJAN

"A free press and the dominion of strangers are things which are quite incompatible and which cannot long exist together." This statement of Sir Thomas Munro sums up in a nutshell, the efforts of the Government of India to restrict the liberty of the press in this country.

The object of this paper is to describe the tussle that has been going on in this country between the Government

on the one side and the Press on the other. I have gone into the history of the struggle with a view to point out the circumstances under which the Government imposed restrictions on the Press at the beginning and also to show the various forms it assumed at different times. It is to be noted that the Government of India has been anxious particularly to control the newspapers edited by Indians.

The Government has used its control to suppress the spread of nationalist and revolutionary ideas in the country. The Press Laws of 1908 and 1910 are to be specially considered in this connection. Even during the Civil Disobedience Movement in the 1930 extraordinary powers of control were given to the executive over the Indian Press. Hundreds of newspapers had to suspend their publication. The ordinances were followed by the enactment of the Indian Press (Emergency Powers) Act, 1931.

I have discussed the position of the Press in India during the last Great War and also present War. Towards the end, I have compared the position in India with that in England and shown conclusively that the difference between the two is not one of degree but that of kind. While the Government in England has acted on the principle that "free speech and free Press are great educators as well as great guardians of a people's liberty" (N. Chamberlain), the Government of the India believe and act upon the statement of Munro quoted above.

## 28

## CIVIL LIBERTIES IN INDIA IN PEACE AND WAR

BY.

PROF. S. V. PUNTAMBEKAR

Civil Liberties, their nature, guarantees and necessities. The character of the Government of India. It is mono-party state and suffers from all the evils arising out of it, besides from those connected with its foreign character. The executive is supreme. It is also the legislature and judiciary even in peace times.

The concept and category of Civil Liberty cannot be properly studied and does not possess political value in

Indian conditions. There can be no sacredness and stability about them in foreign-ruled country. The modern world and modern war stress the authoritarian aspect and liberation aspect of political life.

There is no identity of interests and views between the rulers and the ruled in India. The aims and methods of war are not agreed upon between them. There is a fundamental difference of out-look about peace settlement. Therefore to talk of Civil Liberty under the present government is a contradiction in terms. The executive has used its powers recklessly and irresponsibly. It has left no judicial remedy or redress for a person wronged. There is no sure guarantee for Civil Liberties in India.

The theory of collective responsibility, collective punishment and punitive police imposed on a particular area or a group in a country or area which is not affected by a real invasion is the greatest danger to any idea of Civil Liberty and is only possible under one party or foreign government.

## 29

### CIVIL LIBERTIES IN INDIA

BY

PROF. I. D. SHARMA AND MR. SHANTI SWARUP, LAHORE.

In the present circumstances in the world, the question of civil liberty is most important. At no time in its history civil liberty of the individual has been in danger as at present. In India, the question of civil liberty is all the more important, in view of the the fact that for the successful prosecution of the war, India's wholehearted co-operation and the complete mobilisation of public opinion on the side of Allies is very essential.

The paper very briefly, discusses the question of civil liberties in the light of some recent cases. It concludes that the free enjoyment of civil liberties will be a great contribution to the cause of the Allies.

